

# *Crime Victim and Witness Rights and Services*



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# *Crime Victim and Witness Rights and Services*



*Prepared by  
Paul Onsager*

*Wisconsin Legislative Fiscal Bureau  
One East Main, Suite 301  
Madison, WI 53703*

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## *Crime Victim and Witness Rights and Services*

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During the past three decades, the Wisconsin Legislature has significantly expanded the rights of crime victims and witnesses. Under Chapter 344, Laws of 1975, the Legislature enacted a law compensating crime victims up to \$10,000 for an injury or death. In 1980, Wisconsin became the first state to create a Crime Victims' Bill of Rights. In 1993, voters ratified a constitutional amendment creating a constitutional recognition of victims' rights. This constitutional provision states:

"This state shall treat crime victims, as defined by law, with fairness, dignity and respect for their privacy. This state shall ensure that crime victims have all of the following privileges and protections as provided by law:

- timely disposition of the case;
- the opportunity to attend court proceedings unless the trial court finds sequestration is necessary for a fair trial for the defendant;
- reasonable protection from the accused throughout the criminal justice process;
- notification of court proceedings;
- the opportunity to confer with the prosecution;
- the opportunity to make a statement to the court at disposition;
- restitution;

- compensation; and
- information about the outcome of the case and the release of the accused."

The constitutional provision further required the Legislature to provide remedies for the violation of these rights. These remedies were subsequently provided by the enactment of 1997 Wisconsin Act 181.

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### **Rights for Victims and Witnesses of Crime**

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Act 181 took effect on December 1, 1998, and served to codify victims' constitutional rights, articulate victim and witness rights, delegate responsibilities for providing these rights, and establish an enforcement mechanism and remedies. These provisions applied to victims of both felonies and misdemeanors.

Under Act 181, a "victim" is defined as:

1. A person against whom a delinquent act or crime has been committed.
2. If the victim is a child, the child's parent, guardian or legal custodian.
3. If the victim is physically or emotionally unable to exercise his or her rights as a victim, the person designated by the victim or a family member of the victim.

4. If the victim is deceased, any of the following:

- A family member; or
- A person who resided with the deceased victim.

5. If the victim is incompetent, the person's guardian.

A person alleged to have committed the delinquent act or crime cannot be considered a victim.

The Act included an extensive enumeration of the rights of victim's and a separate, more limited, enumeration of the rights of witnesses. Appendix I lists the statutory rights of both victims and witnesses.

### **Participants Affected by Wisconsin's Victim/Witness Rights Law**

Wisconsin law prescribes how law enforcement personnel, intake workers, prosecutors, courts, counties, the Department of Justice (DOJ), the Department of Corrections, the Parole Commission, the Department of Health and Family Services, the clerks of circuit court, the Director of State Courts, persons preparing presentence or predispositional reports, and the Governor are to address the rights of victims and witnesses.

The duties prescribed for each individual or agency consist primarily of notifying victims or witnesses of their rights. To ensure confidentiality, each individual or agency with access to the mailing addresses of crime victims or witnesses must ensure that this information not be inspected

or copied. These entities help victims or witnesses to exercise their rights by providing information about the offender as that individual moves through the criminal or juvenile justice system, and by allowing the victim to confer with prosecutors and make a statement to the court. Appendix II lists the statutory duties to crime victims of various participants in the criminal and juvenile justice systems.

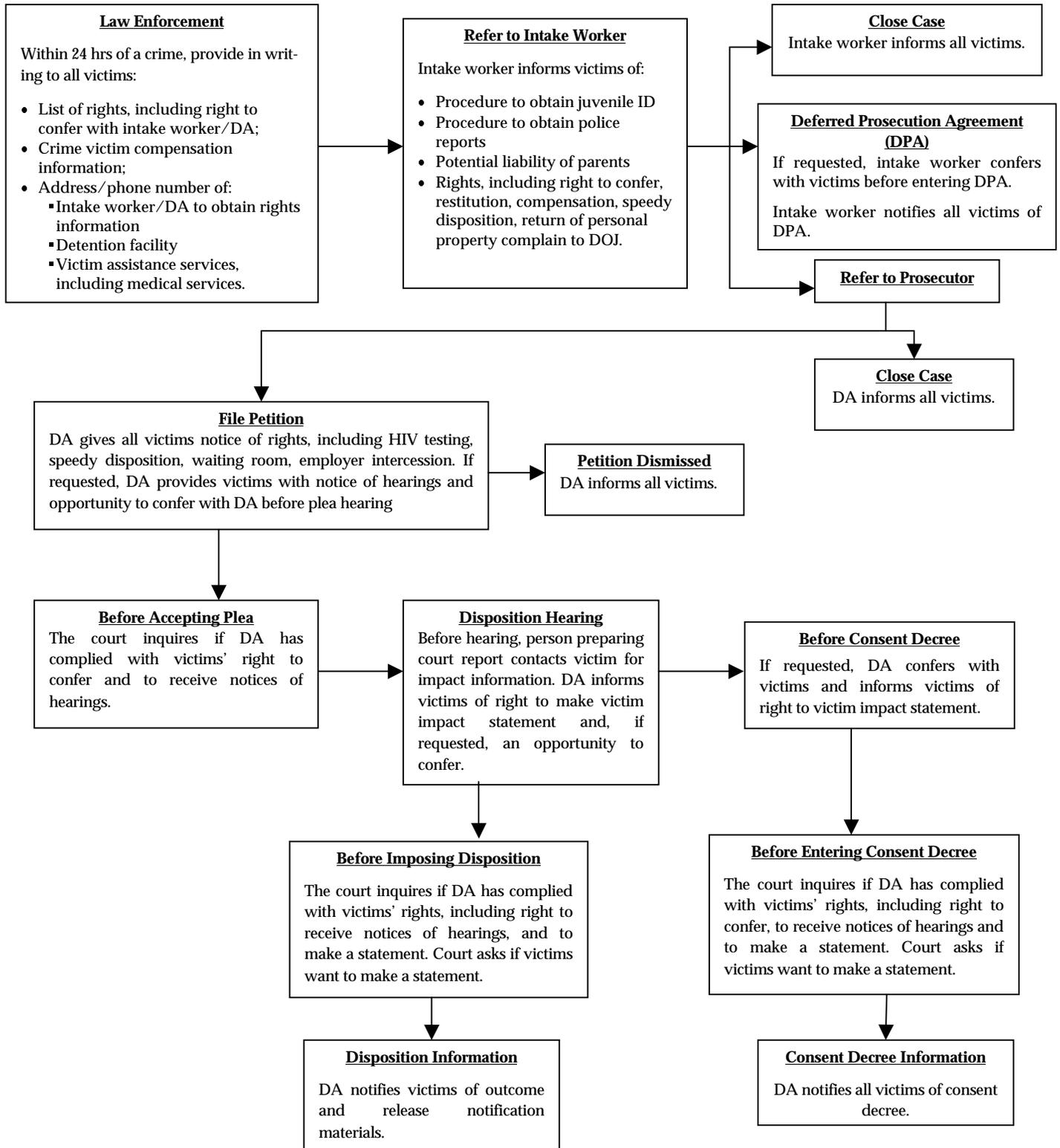
While Act 181 took effect on December 1, 1998, many counties were already providing the services required by the Act before that date. In June, 1998, DOJ's Office of Crime Victim Services conducted a survey of the 66 counties with a victim/witness assistance program. Of the 62 counties that responded to the survey, 56% were already notifying victims in adult criminal cases of a decision not to prosecute, 52% were already informing victims in adult criminal cases of their right to confer with the prosecutor, and 87% were already notifying victims in adult criminal cases of scheduled court hearings.

Although no specific duties are statutorily assigned to victim/witness services program personnel, district attorneys generally delegate their statutory duties to such personnel. Except for Trempealeau County, all victim/witness services programs are actually housed in district attorney offices.

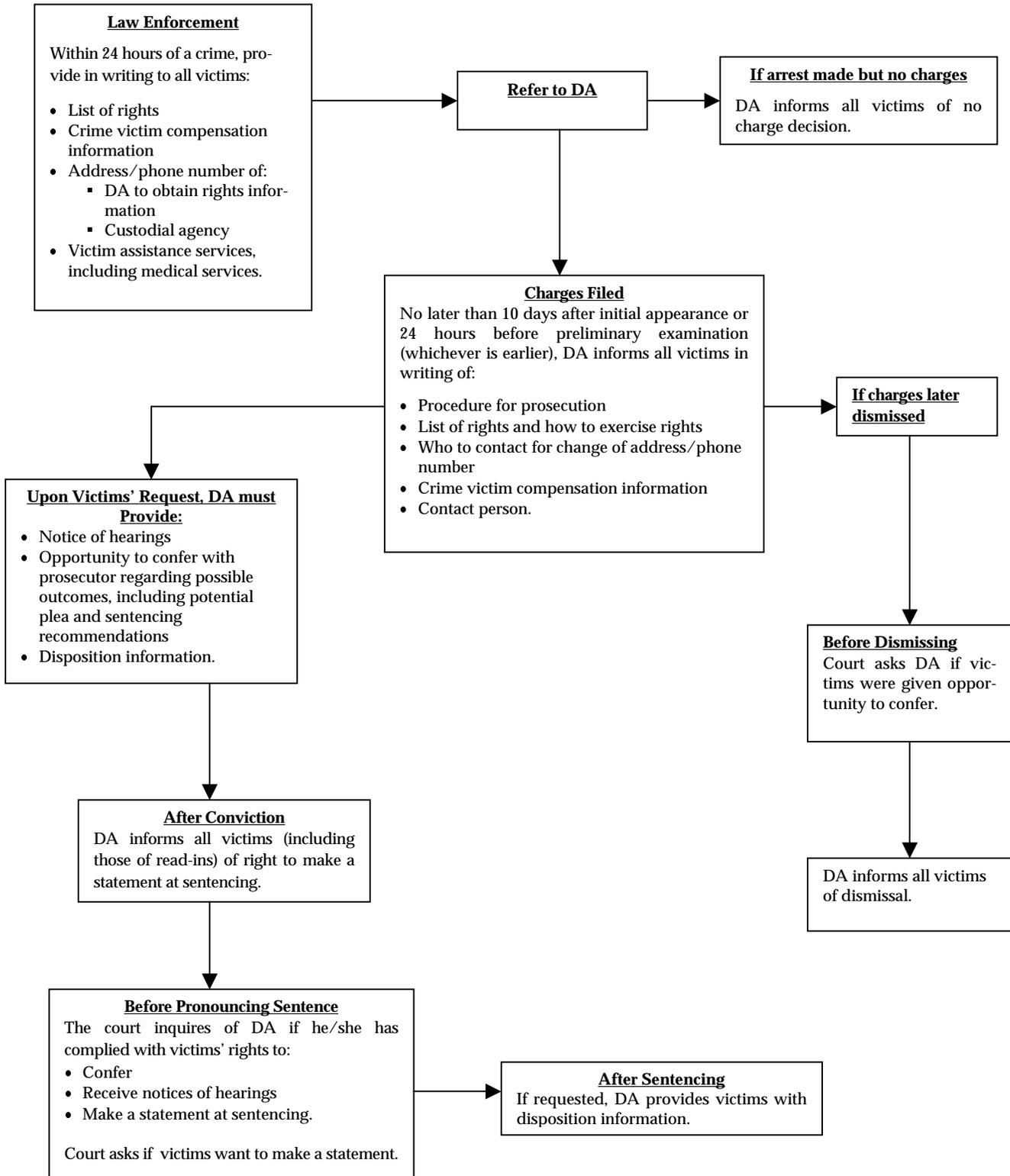
### **The Process for Ensuring Victim/Witness Rights**

The following flow charts illustrate the process by which various participants in the juvenile and criminal justice systems provide for the exercise of victims' rights. These schematic diagrams are synopses of more detailed enumerations of the information presented in Appendices I and II.

## Victim Rights Under the Juvenile Justice System



## Victim Rights Under the Criminal Justice System



## **Enforcement of Victim/Witness Rights**

*The Role of the Department of Justice.* If victims or witnesses are unsatisfied either with the treatment they receive by public officials, employees or agencies, or with services provided through the victim and witness assistance programs, they may file a complaint with DOJ. The Department may mediate complaints and act as a liaison between crime victims or witnesses and others when seeking to resolve these complaints. The Department may request a written response regarding the complaint from the subject of the complaint. Any such written response must be provided by the subject of the complaint within a reasonable time.

*The Role of the Crime Victims Rights Board.* Act 181 created a Crime Victims Rights Board, attached administratively to DOJ, to review complaints relating to the rights, services and notices provided to victims of crimes. The Board is composed of the following five members appointed to four-year terms: one district attorney (appointed by the Wisconsin District Attorneys' Association), one representative of local law enforcement (appointed by the Attorney General), one person employed or contracted by a county board of supervisors to provide victim and witness services (appointed by the Attorney General), and two citizen members (one appointed by the Crime Victims Council and one appointed by the Governor).

Once DOJ completes its action on a complaint, the complaining party may request the Crime Victims Rights Board to review the matter. The Board may only review the matter if it establishes probable cause that the subject of the complaint violated the rights of a crime victim. Based on this review, the Board may issue private and public reprimands of public employees or agencies; refer judges who violate crime victim rights to the Judicial Commission; seek equitable relief on the victim's behalf; and bring a civil action to assess a forfeiture of not more than \$1,000 on an individual or agency that intentionally fails to honor a statutory

right provided to victims under s. 950.04, the basic bill of rights for victims and witnesses. In addition, the Board may issue reports and recommendations regarding victim rights and services.

The failure to provide a right, service or notice to a victim is neither grounds for appeal of a judgment of conviction or sentence nor grounds for any court to reverse or modify a judgment of conviction or sentence. Actions of the Board are not subject to approval or review by the Attorney General.

*Confidentiality of Complaints.* All Department records related to a complaint and all complaints submitted to the Board, before a finding of probable cause, are confidential unless the subject of the complaint waives the right to confidentiality in writing. To this end, DOJ and the Board are required to avoid unnecessary publicity for the subject of a complaint. Persons contacted for information relating to a complaint are asked not to disclose that DOJ or the Board is conducting an investigation or the nature of any inquiries made by DOJ or the Board.

If a complaint becomes public before the completion of action by DOJ or the finding of probable cause by the Board, either DOJ or the Board, whichever is applicable, may issue statements to:

- Confirm that a complaint has been made or is being reviewed;
- Clarify the procedural aspects of actions taken by DOJ or the Board;
- Explain the right of the subject of the complaint to respond to the complaint;
- State that the subject of the complaint denies the allegations, if applicable;
- State that the investigation by DOJ or the Board has been completed and no basis for the

complaint was found; or

- Correct public misinformation.

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### **Funding for County Victim and Witness Services**

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*County Eligibility to Receive Reimbursement.* Counties are eligible to receive reimbursement from the state for not more than 90% of the costs incurred in providing victim and witness services. To be eligible for reimbursement, a county must provide all of the following services to victims and witnesses:

- Court appearance notification services, including cancellation of appearances;
- Victim compensation and social services referrals, including witness fee collection, case-by-case referrals and public information;
- Escort and other transportation services related to the investigation or prosecution of the case, if necessary or advisable;
- Case progress notification services which may be combined with court appearance notification services;
- Assistance in providing the court with information pertaining to the economic, physical and psychological effect of the crime upon the victim of a felony;
- Employer intercession services;
- Expedited return of property services;
- Protection services;
- Family support services; and

- Waiting facilities.

In addition to these victims' services, counties are encouraged to provide the following additional services on behalf of children who are involved in criminal or delinquency proceedings as victims or witnesses:

- Explanation, in language understood by the child, of all legal proceedings in which the child will be involved;
- Advice to the judge, when appropriate and as a friend of the court, regarding the child's ability to understand the proceedings and questions;
- Advice to the prosecutor concerning the ability of a child witness to cooperate with the prosecution and the potential effects of the proceedings on the child;
- Information about and referrals to appropriate social services programs to assist the child and child's family in coping with the emotional impact of the crime and the subsequent proceedings in which the child is involved.

*Reimbursable County Costs.* Under administrative rule Jus 12.02(15), the following categories of county costs are reimbursable under the program:

1. Salaries and benefits;
2. Overtime and night differentials;
3. Travel expenses;
4. Space rental;
5. Staff development, including registration fees, travel to and from training and conferences, meals, lodging, membership dues, subscriptions, and library materials;
6. Public information, including the printing of

brochures and similar projects;

7. Local and long distance telephone costs;

8. Maintenance, repair and replacement of equipment;

9. Office supplies;

10. Equipment or non-expendable personal property having a useful life of more than one year and acquisition costs of more than \$500; and

11. Contractual services.

In 2001-02, counties reported aggregate costs of \$8,296,500 under the program. The Department does not separately account for reported county costs under the program by the eleven categories of reimbursable expense.

*Program Administration and Funding.* If a county wishes to be reimbursed, the county board must submit a program plan to DOJ for approval. The plan must describe the level of services to victims and witnesses that the county plans to provide; the personnel or agencies responsible for programs and services; proposed staffing for the program; proposed education, training and experience requirements for program staff; and the county's budget for implementing the program. The plan must also provide that the district attorney, local law enforcement agencies, and the courts will make all non-confidential reports and files available to program staff as required to carry out their responsibilities.

To receive reimbursement, a county board must file a reimbursement claim with DOJ. The Department, in turn, determines the level of services for which a county may be reimbursed. DOJ bases this determination on a county's level of staffing for the program.

**Table 1: State Reimbursement to Counties**

Fiscal Year	Reported County Costs	Amount of State Reimbursement	Percentage of Counties' Cost Reimbursed	Number of Counties Receiving Reimbursement
1992-93	\$4,011,100	\$3,132,000	78%	55
1993-94	4,710,800	3,664,900	78	58
1994-95	4,930,900	4,081,600	83	58
1995-96	5,186,400	4,074,100	79	60
1996-97	5,652,100	4,069,100	72	64
1997-98	5,994,000	4,655,000	78	66
1998-99	6,622,500	4,772,000	72	68
1999-00	7,287,900	5,044,700	69	70
2000-01	7,883,900	5,325,100	68	70
2001-02	8,296,500	5,483,500	66	70

The actual percentage of county costs that is reimbursed varies each year depending upon the availability of state funds, the costs of the counties' programs and the number of counties operating approved programs. Table 1 summarizes the total reported annual county costs of those counties participating in the program, total annual state reimbursements, the percentage of county costs actually reimbursed, and the number of counties receiving reimbursement for victim and witness assistance services costs for the last 10 fiscal years. Table 2 summarizes the amounts reimbursed to each county during this same 10-year period.

Reimbursement payments come from six different funding sources: (a) general purpose revenue (GPR); (b) "Part A" of the crime victim and witness surcharge; (c) any excess money from the "Part A" crime victim and witness surcharge not used for crime victim compensation; (d) a delinquency crime victim and witness assistance surcharge; (e) federal and matching anti-drug money from the Office of Justice Assistance (OJA); and (f) penalty assessment surcharge revenue from OJA.

The crime victim and witness surcharge is assessed against any person who is convicted of a misdemeanor or felony violation of state law. Prior to 1993-94, the surcharge was \$30 for each misdemeanor violation and \$50 for each felony

**Table 2: Reimbursement to Counties Administering Victim and Witness Services Programs**

County	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02
Adams	\$10,000	\$16,600	\$18,900	\$18,500	\$19,600	\$22,400	\$21,300	\$25,700	\$28,400	\$30,100
Ashland	1,100	7,400	8,400	8,100	7,600	8,400	9,300	13,000	19,700	19,700
Barron	6,000	16,500	26,100	21,400	23,800	26,400	34,200	33,900	35,000	35,900
Bayfield	15,600	11,800	13,400	12,200	12,000	12,900	14,100	14,500	19,200	22,700
Brown	54,400	54,000	66,200	58,800	61,700	67,000	77,400	131,600	136,600	135,100
Buffalo	---	---	---	---	---	---	6,200	18,000	18,800	21,100
Burnett	---	---	---	---	---	---	---	3,600	21,500	22,400
Calumet	22,800	24,900	27,400	29,500	30,800	31,500	28,800	32,700	30,300	31,700
Chippewa	36,000	35,400	37,800	37,800	36,300	48,400	47,200	51,500	51,000	56,600
Clark	---	---	---	9,600	13,300	26,700	22,900	27,000	29,400	28,800
Columbia	6,300	25,900	24,300	14,500	19,300	32,200	32,400	47,600	69,700	70,900
Crawford	22,000	23,500	27,300	30,000	26,600	28,900	29,100	27,000	25,800	26,700
Dane	271,900	296,700	322,200	330,800	324,300	368,100	423,100	439,400	465,700	477,000
Dodge	29,200	35,000	48,600	45,300	45,800	55,700	62,600	53,800	66,700	68,500
Door	13,600	15,100	17,300	18,300	17,200	18,900	24,000	26,000	26,300	30,800
Douglas	70,500	74,600	84,900	82,100	80,400	61,500	49,400	47,900	64,900	63,600
Dunn	---	31,100	35,000	35,100	32,000	37,800	36,300	34,300	41,500	36,000
Eau Claire	35,900	38,400	46,300	55,000	55,600	59,300	61,200	59,300	59,800	63,400
Florence	1,500	4,600	7,400	6,800	9,900	10,200	10,700	8,200	11,200	12,500
Fond du Lac	33,800	48,500	58,300	51,600	50,600	56,000	55,200	53,700	56,200	50,800
Forest	---	---	---	---	---	---	---	---	---	---
Grant	---	---	---	---	---	4,200	23,400	26,900	27,600	27,700
Green	10,200	11,000	12,200	12,300	12,300	18,900	20,200	16,300	19,900	22,100
Green Lake	9,100	7,900	8,300	11,000	8,600	17,900	29,100	28,200	29,600	32,400
Iowa	---	---	---	---	23,500	30,300	25,300	26,100	26,700	26,300
Iron	11,600	14,900	13,400	12,300	12,900	27,400	28,300	25,900	28,700	28,800
Jackson	9,700	15,200	26,300	23,000	26,300	33,100	31,100	32,800	31,900	32,100
Jefferson	20,500	18,600	27,400	25,400	24,100	28,900	38,900	43,700	45,300	50,100
Juneau	15,200	14,600	17,400	17,000	16,700	24,100	26,800	26,700	27,900	28,100
Kenosha	144,300	149,400	165,700	163,200	154,400	180,300	175,600	197,200	213,600	226,400
Kewaunee	11,800	12,800	9,400	10,800	10,000	13,900	12,700	16,300	19,400	18,200
La Crosse	51,000	53,600	69,300	69,200	65,500	66,200	85,600	79,000	75,200	73,700
Lafayette	---	---	---	---	---	17,600	15,300	14,300	13,200	17,900
Langlade	---	---	---	---	12,400	13,300	18,900	6,000	10,000	15,400
Lincoln	12,500	18,200	15,200	19,500	25,800	25,700	26,000	26,000	24,200	30,100
Manitowoc	29,500	30,900	33,000	32,900	31,600	36,300	34,500	55,100	64,300	67,800
Marathon	51,000	57,800	52,500	57,900	61,200	70,300	68,700	72,100	80,300	83,000
Marinette	23,300	23,800	25,000	24,400	23,200	26,300	25,500	29,000	27,000	28,500
Marquette	3,800	6,900	12,400	13,300	12,100	18,200	20,500	22,100	19,200	27,300
Menominee***	---	---	---	---	---	---	---	---	---	---
Milwaukee*	1,046,400	1,273,700	1,339,100	1,294,300	1,283,100	1,402,500	1,420,100	1,411,000	1,422,500	1,448,400
Monroe	43,800	48,400	59,600	52,000	48,000	55,700	51,000	57,500	52,400	53,200
Oconto	7,900	8,000	7,600	7,400	3,300	12,000	22,700	33,900	33,100	32,900
Oneida	11,000	12,700	15,600	12,600	13,900	14,300	11,700	12,000	13,500	13,400
Outagamie	50,100	55,300	65,800	65,600	61,800	70,400	73,500	78,500	93,300	100,200
Ozaukee	30,400	31,100	35,900	33,800	32,600	36,900	32,100	35,600	45,500	54,000
Pepin	---	---	---	---	---	---	---	10,100	16,900	17,100
Pierce	21,400	12,600	30,700	26,800	24,400	25,100	28,800	24,600	30,800	33,500
Polk	26,100	32,500	33,400	32,400	30,600	45,700	38,000	35,300	49,500	44,900
Portage	40,500	40,100	43,900	44,500	41,400	44,800	52,200	43,700	42,600	47,600
Price	---	7,300	10,600	9,700	10,400	12,500	12,900	15,700	12,600	13,100
Racine	160,700	161,700	186,400	186,600	181,200	217,500	204,100	228,300	238,400	244,700
Richland	14,900	13,300	13,200	17,900	16,300	20,900	19,300	19,100	23,800	24,100
Rock	111,500	149,900	172,800	170,400	165,600	164,500	186,500	175,200	192,600	188,500
Rusk	6,500	9,300	13,500	12,400	12,000	15,600	16,700	16,000	18,000	17,100

**Table 2: Reimbursement to Counties Administering Victim and Witness Services Programs (continued)**

County	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02
St. Croix	\$31,700	\$34,800	\$45,200	\$48,100	\$44,200	\$53,500	\$58,700	\$63,900	\$73,400	\$71,100
Sauk	48,200	59,500	39,600	54,400	48,300	51,600	49,400	46,600	43,800	50,500
Sawyer	---	---	---	---	---	---	---	---	---	---
Shawano**	---	---	---	24,800	27,600	31,900	39,500	50,400	52,200	52,900
Sheboygan	79,300	76,700	103,500	97,200	92,100	136,400	104,500	127,700	124,000	127,900
Taylor	3,300	14,600	14,300	13,900	13,200	17,900	20,500	21,200	25,900	29,400
Trempealeau	---	---	---	---	15,000	18,900	17,800	25,900	34,900	36,200
Vernon	---	---	---	---	14,800	23,500	29,200	37,200	31,300	28,900
Vilas	15,000	28,400	22,700	31,500	36,200	34,200	28,700	24,700	26,200	27,000
Walworth	70,300	63,600	74,800	75,300	72,000	82,400	67,500	87,900	80,600	85,400
Washburn	---	4,200	11,800	14,600	11,600	13,800	25,900	26,000	27,900	29,000
Washington	23,800	31,700	41,300	41,200	35,400	44,400	45,900	51,900	58,500	58,400
Waukesha	133,400	163,800	186,800	197,400	199,900	225,700	192,900	204,300	211,400	220,900
Waupaca	30,200	33,200	36,800	29,500	36.5	36,000	37,700	41,600	43,800	41,700
Waushara	12,300	12,600	13,100	13,400	13,200	14,200	14,000	13,900	14,100	15,500
Winnebago	33,100	39,500	50,200	51,200	47,400	55,200	64,700	76,400	74,300	78,500
Wood	46,000	51,000	56,200	57,200	50,300	51,800	53,500	56,000	55,600	57,900
<b>TOTAL</b>	<b>\$3,132,000</b>	<b>\$3,664,900</b>	<b>\$4,081,600</b>	<b>\$4,074,100</b>	<b>\$4,069,100</b>	<b>\$4,655,000</b>	<b>\$4,772,000</b>	<b>\$5,044,700</b>	<b>\$5,325,100</b>	<b>\$5,483,500</b>

\*Milwaukee County receives reimbursement for two victim and witness programs, one operating in the District Attorney's office and one operating in the Sheriff's office.

\*\*Beginning January 1, 1999, reimbursement includes services in Menominee County.

\*\*\*Menominee County receives indirect support thru payments to Shawano County.

violation. The resulting surcharge revenues were authorized solely to fund county reimbursements for victim and witness assistance services.

The victim and witness assistance surcharge underwent two modifications by 1993 Wisconsin Act 16. First, surcharge revenue was authorized to partially fund the crime victim compensation program described in the next section. This program currently receives \$488,800 program revenue (PR) annually from the surcharge.

Second, effective August 12, 1993, the surcharge for a misdemeanor offense was increased from \$30 to \$50 and for a felony offense was increased from \$50 to \$70. Act 16 provided that the \$20 increase for each classification of crime be used to fund the sexual assault victim services program described below. As a result of these changes, the initial \$30 for a misdemeanor and the initial \$50 for a felony is termed "Part A" of the surcharge. These surcharge

amounts are authorized to fund crime victim compensation and victim and witness services. The additional \$20 for both a misdemeanor and a felony violation is termed "Part B" of the surcharge. These additional surcharge amounts are authorized to fund the sexual assault victim services program.

Of the total of \$5,483,500 (\$1,444,700 GPR and \$4,038,800 PR) reimbursed to counties in 2001-02 for victim and witness services, expenditures from crime victim and witness assistance surcharge revenues (including delinquency crime victim and witness assistance surcharge revenues) totaled \$2,415,000 PR; expenditures from federal anti-drug abuse funding totaled \$850,800 PR; and expenditures from penalty assessment surcharge receipts from OJA totaled \$773,000 PR.

Table 3 details the amounts of crime victim and witness surcharge revenues collected during each of the last 10 fiscal years.

**Table 3: Crime Victim and Witness Surcharge Revenues Collected**

Fiscal Year	Part A Amount	Part B Amount
1992-93	\$1,946,800	---
1993-94	1,874,600	\$66,500
1994-95	2,167,500	412,500
1995-96	2,217,900	755,800
1996-97	2,271,800	970,300
1997-98	2,279,400	1,117,800
1998-99	2,432,700	1,307,000
1999-00	2,597,400	1,415,500
2000-01	2,261,500	1,307,100
2001-02	2,918,800	1,626,400

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### Crime Victim Compensation Program

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Innocent victims of violent crimes, including their dependents and family members, in cases where the victim dies, often undergo financial hardships due to medical expenses and lost wages resulting from the injury or death.

The state's crime victim compensation program compensates victims and their dependents for the cost of medical treatment (both physical and mental), lost wages, funeral and burial expenses, loss of support to dependents of a deceased victim, and replacement costs of any clothing or bedding that is held for evidentiary purposes. In addition, victims who are homemakers may be compensated for expenses related to securing homemaker services when someone must be hired to perform these services. Appendix III lists the types of economic losses for which compensation may be awarded from the crime victim compensation program.

The amount of a victim's compensation award may be reduced by "collateral deductions," such as payments from insurance, worker's compensation, unemployment compensation, public funds, emer-

**Table 4: Compensable Crimes**

Intentional homicide (first and second degree)
Homicide by reckless conduct (first and second degree)
Homicide by intoxicated or negligent use of a vehicle, weapons, explosives or fire
Homicide resulting from negligent control of a vicious animal
Felony murder (causing the death of another person while committing or attempting to commit certain crimes)
Battery (including battery or threat to witnesses)
Sexual assault (first, second, third and fourth degree)
Sexual assault or physical abuse of, or causing mental harm to, a child
Sexual assault of a student by a school instructional staff person
Sexual contact by a therapist with a patient or client
Injury by conduct regardless of life
Injury by intoxicated or negligent use of a vehicle, weapon, explosives or fire
Taking a vehicle without consent while possessing a dangerous weapon
Mayhem (the disfigurement or disablement of another person)
Abandonment of a child
Enticing a child for immoral purposes
Abuse of vulnerable adults or residents of facilities (patients in a nursing home or hospital for the mentally ill)
Kidnapping, false imprisonment or taking of hostages
Arson (of buildings, property other than buildings, or with intent to defraud)
Burglary, theft or robbery
Hazing
Tampering with household products
Stalking
Hit and run if the victim was a pedestrian

gency awards, and the offender and third parties who are found liable for the offender's acts. This offset provision ensures that only the victim's actual out-of-pocket costs are covered by the program.

An individual must be a victim of one of the crimes enumerated in Table 4 in order to be eligible for an award. An award may be made regardless of whether or not a person is prosecuted or convicted for the crime which caused the victim's injury or death. Victim compensation awards may be made to family members of a victim of a homicide and to dependents who lived in the same household with a victim of a homicide immediately prior to the

crime. A dependent is defined as any spouse, parent, grandparent, stepparent, child, stepchild, adopted child, grandchild, brother, sister, half-brother, half-sister or parent of spouse of a deceased victim who was wholly or partially dependent upon the victim's income at the time of the victim's death and includes any child of the victim born after the victim's death. The economic loss that is recoverable for family members and dependents is subject to the same limits that apply to compensation awarded directly to victims.

A victim is also eligible for an award if the individual was injured while acting as a good samaritan, attempting to prevent a crime, apprehending a criminal, aiding a crime victim or attempting to aid a police officer. Under 1989 Wisconsin Act 140, on-duty police officers and fire fighters are eligible for awards. However, victims who have been determined by DOJ to have contributed to their injury or death are not eligible to receive an award. Appendix IV summarizes the eligibility requirements which must be met to qualify for a compensation award.

*Funding and Administration.* Funding for the crime victim compensation program is provided from the following: a GPR appropriation, "Part A" of the crime victim and witness assistance surcharge, and from federal grants awarded under the federal Victims of Crime Act (VOCA), as amended. Federal funds are generated from a number of sources, including criminal fines collected from defendants convicted of federal offenses, penalty assessments on federal felony or misdemeanor convictions and the proceeds of forfeited federal appearance bonds and bail bonds. Forty-five percent of the federal crime victims' fund is available to reimburse state compensation programs. Previously, these funds were made available to match 40% of state funding for crime victim compensation.

The federal VOCA program has now been modified to match 60% of state funding for crime

victim compensation. DOJ staff have indicated that the increased VOCA funding will likely be used to provide increased support for adult victims of assault (the program's largest category of victims).

Under s. 949.06(2) of the statutes, the state's maximum award for any one injury or death is \$40,000. This amount is in addition to a \$2,000 maximum reimbursement of burial expenses that may be awarded. The statutes also specify award maximums for each category of loss and authorize what amounts are to be paid from state or federal funds. Appendix V describes the current award limits. Individual claims are not prorated under the program. Instead, any claims not fully paid after accounting for "collateral deductions" discussed earlier, are carried forward into the next fiscal year when funds again become available.

Appendix VI identifies by category of claim (usually type of crime), the new claims for compensation filed under the program during 1999-01. By far the greatest number of new claims filed during this period, 1,952 claims out of a total of 5,329 claims, was filed as a result of aggravated battery.

The Department denies payment to claimants

**Table 5: Completed Claims Denied 1999-01**

Reason for Denial	Number of Claims
Delinquent in Child Support	370
Victim Conduct Contributed	206
Crime Not Compensable Under Statute	138
Victim Did Not Cooperate With Police	72
No Crime Occurred	48
Claim Not Filed Within Time Constraints	42
Victim Knew Driver Was Intoxicated	26
Victim Committed Crime Which Contributed	25
Crime Not Reported to Law Enforcement	19
Crime Not Reported to Police Within 5 Days	18
Victim Did Not Cooperate with DOJ	7
Victim Failed to Use Collateral Payment Source	3
Victim Knew Driver Was on Drugs	2
Award Would Unjustly Benefit Offender	1
<b>Total Claims Denied</b>	<b>977</b>

under the program for a variety of reasons. Table 5 identifies for the 1999-01 biennium, the various reasons why 977 completed claims were denied. The most frequent reason for denial was that the potential claimant was delinquent in child support payments (370 claims).

Table 6 shows the number of claims that have been filed each of the last 10 fiscal years, the total amount expended to compensate crime victims, and the average amount paid on approved claims. For 2002-03, \$2,390,700 (\$1,258,000 GPR, \$643,900 FED and \$488,800 PR) is budgeted to make awards to victims of crime.

**Table 6: Victim Compensation Claims**

Year	Number of Claims Filed	Amount Expended	Average Amount per Paid Claim
1992-93	2,334	\$1,734,242	\$1,897
1993-94	2,301	2,360,901	1,749
1994-95	2,114	2,108,476	2,017
1995-96	2,308	2,750,860	1,833
1996-97	2,559	2,222,541	1,790
1997-98	2,684	2,226,232	1,790
1998-99	2,830	2,242,169	1,872
1999-00	2,605	2,403,247	2,089
2000-01	2,724	2,420,048	2,065
2001-02	2,858	2,255,352	2,025

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### Sexual Assault Victim Services

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Under 1993 Wisconsin Act 16, a sexual assault victim services grant program was created, beginning January 1, 1995. Grants are provided by DOJ to eligible nonprofit corporations or public agencies to provide (or subcontract to provide) the following services for sexual assault victims:

1. Advocacy and counseling services;
2. 24-hour crisis telephone service;

3. Educational programs on professional intervention and community prevention; and

4. Services for men, children, elderly or physically disabled persons, minority groups or other groups of victims that have special needs within the service area of the nonprofit corporation or public agency, who live in rural areas.

An eligible organization may not receive more than 70% of its operating budget from grants provided under this program and may not contract, subcontract or enter into agreements with other organizations or individuals to provide all of the required services. When DOJ reviews grant applications, it must consider local needs for sexual assault victim services, the coordination of the applicant's services with other victim resources, the needs of rural and urban communities, and the needs of existing and proposed programs and services.

Sexual assault victim services grants are awarded on a calendar year basis. In 2002, 40 agencies were awarded grants totaling \$1,675,600. Appendix VII enumerates the agencies that received funding for sexual assault victim services from 2000 through 2002, shows the amounts received by each agency and indicates the purpose for which funding (if any) is provided in 2002. While grant recipients are organized by county in the appendix, many recipients provide services outside of their home counties.

The sexual assault victim services grant program is funded through "Part B" of the crime victim and witness services surcharge (described earlier). Revenue for the program totaled \$1,626,400 in 2001-02.

Total expenditures by all grantees of the sexual assault victim services grant program from all funding sources were \$3,955,298 in calendar year 2000 and \$5,258,018 in calendar year 2001.

Table 7 shows the number of people grantees

served in 2000 and 2001 by type of sexual assault service.

**Table 7: Number of People Served by Sexual Assault Victim Services Grantees by Service Type**

	2000	2001
Client Contacts; Information/ Referral; Hotline Calls	23,989	28,353
Individual Counseling	4,947	5,080
Support Groups	1,294	1,694
Personal/Legal Advocacy	2,641	3,487
Community Education, Outreach, Prevention	111,523	131,232

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### Other Crime Victim Services

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#### Federal VOCA Grants

In addition to allocating funds for state crime victim compensation programs, the federal Victims of Crime Act (VOCA), as amended, provides funding to states for victim and witness assistance programs. The federal funds may be subgranted by the state to public or private nonprofit agencies. Services provided under this program include direct social services to victims such as counseling, shelter, crisis intervention and legal advocacy. These services are different from the county victim and witness services programs, which are mainly geared toward assisting victims with court proceedings.

Several federal requirements govern VOCA grants. At least 10% of the state's funds must support each of the following categories of victims: sexual assault; domestic violence; and child abuse. Public or private nonprofit subgrantees must provide a 25% match for the VOCA grants awarded. For example, an agency receiving a \$10,000 VOCA grant must match the grant with an additional \$2,500. VOCA grant recipients must also promote

the coordination of victim services within their communities. This federal directive has resulted in a variety of cooperative efforts among VOCA recipients and other local victim service providers.

For federal fiscal year (FFY) 2002, 68 agencies received grants totaling \$5,556,600. Appendix VIII lists the state recipients of federal VOCA grants awarded in FFYs 2000 through 2002, the amounts received by these recipients, and the purpose of each grant in 2002. A program goal of DOJ in providing VOCA funding is to stabilize the funding received by qualified recipients from year to year, and to avoid dramatic increases or decreases in grant funding. While grant recipients are organized by county in Appendix VIII, many recipients provide services outside of their home counties.

#### Victim Resource Center

The Department of Justice operates the Victim Resource Center to inform and assist crime victims regarding crime victim rights and services. The Center maintains a toll-free telephone number to provide crime victims and witnesses with the following services: (1) information and referral to available services; (2) emotional support; (3) assistance in securing resources and protection; (4) assistance in exercising their rights as victims; and (5) intervention with the criminal justice system, when warranted. The Department is also authorized to receive complaints and, with the consent of the parties involved, mediate complaints regarding treatment of crime victims and witnesses. In 2001-02, the Victim Resource Center served 323 victims through 827 telephone contacts.

Since January 1, 1994, the Center has operated the Victim Appellate Notification (VANS) program. This program provides information to victims and witnesses regarding any appeals of their cases. The information includes dates of oral arguments and appellate court decisions. The program was established because district attorneys, who typically provide such services at the circuit court level, are generally not involved in appeals

(typically handled by DOJ attorneys). Consequently, victims and witnesses were not being kept up to date on appeals of their cases. The Center also provides victim and witness services that address the rights listed in Appendix I in cases prosecuted by DOJ when no other victim or witness services are available.

The Victim Resource Center's VOCA grant award for 2002-03 is \$98,500. The state's match is 25% of this award.

**Children's Justice Act Grant Program**

In 1992, the Attorney General first obtained a federal Children's Justice Act grant, administered by the federal Office of Child Abuse and Neglect. This grant program (known as the Children's Justice Act program) is funded with federal VOCA dollars and is administered at the state level by DOJ's Office of Crime Victim Services. The grant funds have allowed DOJ to increase its intervention in matters relating to child sexual abuse, physical abuse and neglect, and juvenile delinquency. Establishment of a state task force is required for continuing eligibility to receive federal grant funds. The Attorney General's Task Force on Children in Need is a multi-disciplinary body of child abuse professionals. The Task Force reviews and evaluates investigative and judicial handling of cases of child abuse and neglect, and makes policy and training recommendations to improve the handling of these cases.

Table 8 shows the award amounts received by DOJ from FFY 1993 through FFY 2002. In FFY 2001, the formula for awarding Children's Justice Act grant funds was altered, thereby permitting Wisconsin to receive increased grant funding.

The long-term goals of the Children's Justice Act program, are to improve the investigation and prosecution of child abuse and neglect cases, improve the handling of suspected child abuse and neglect-related fatalities, and improve the handling

**Table 8: DOJ Awards Under the Children's Justice Act Grant Program**

Federal Fiscal Year	Amount
1993	\$216,666
1994	213,745
1995	186,704
1996	185,543
1997	176,305
1998	177,409
1999	175,394
2000	171,548
2001	338,497
2002	333,632

of cases in order to limit additional trauma to the child victim and family. DOJ pursues these goals by: (1) making subgrants to promote multidisciplinary team building, protocol development, and child advocacy center development; (2) sponsoring relevant training and providing scholarships for law enforcement, social workers, and prosecutors; (3) encouraging the development of child fatality review teams; and (4) collaborating with other Wisconsin child abuse agencies to develop model programs or training opportunities. Appendix IX lists the subgrants made under the program beginning from July 1, 1999 through November 30, 2002.

The Children's Justice Act program has also presented and co-sponsored statewide and regional conferences on child fatality review, child interviewing, interdisciplinary approaches to investigation, interagency protocol writing, and other aspects of investigation and prosecution of these cases involving child victims.

**Violence Against Women Act**

The federal Violence Against Women Act (VAWA) is a component of the 1994 federal Crime Bill. The Violence Against Women Act of 2000

(VAWA II) reauthorized the VAWA program for an additional five years.

*STOP Violence Against Women Formula Grant.* The STOP Violence Against Women Formula Grant program under the Act assists states to improve the criminal justice system’s response to violence against women and the services available to women victims. The Department of Administration’s Office of Justice Assistance (OJA) has developed a state-wide plan, as required by the federal Act, governing the administration of the state’s STOP (Services, Training, Officers, Prosecutors) formula grant and the awarding of state and local subgrants. Grants are awarded for training law enforcement and other agency personnel; developing coordinated community response teams; developing specialized enforcement and prosecution, and victim services; and targeting projects such as statewide technical assistance and assistance to underserved populations.

Currently, the STOP formula grant to Wisconsin exceeds \$2.4 million per year. Table 9 details the federal STOP formula grant awards to OJA since VAWA’s inception.

**Table 9: VAWA Formula Grants**

Federal Fiscal Year	Amount
1995	\$426,400
1996	2,271,000
1997	2,517,000
1998	2,576,000
1999	2,478,600
2000	2,354,500
2001	2,118,000
2002	2,463,000

Five percent of the federal STOP formula grant money under VAWA II is now earmarked for sexual assault and domestic violence coalitions. The remaining STOP formula grant funds under VAWA II distributed directly to the states are allocated as

follows: (1) 25% must be used for prosecution efforts; (2) 25% must be used for law enforcement efforts; (3) 30% must be used for victim services; (4) 5% must be used for programming in the courts and (5) 15% of the funds are available for discretionary programming.

Most funds are used to create and enhance domestic violence, sexual assault, and stalking victim services, such as specialized prosecution, specialized enforcement, victim services, and coordinated community response teams. All funds are allocated through a subgrant process.

State-sponsored programs, other than district attorneys, are funded non-competitively, while those programs sponsored by local units of government or private non-profit agencies are reviewed by OJA and funded competitively. The competitive grant process involves: (1) the development of an application kit by OJA staff; (2) pre-award grant writing training for prospective subgrantees; (3) submission of grant applications; (4) review of grant applications by peer review teams and OJA staff; (5) staff grant funding recommendations to the OJA Executive Director; and (6) forwarding of OJA grant funding recommendations to the Governor for his review and signature.

Recently, portions of the federal grant have been used to fund assistant district attorneys staff costs, judicial training, and state prosecutor and law enforcement training on domestic violence, sexual assault or stalking. In addition, the federal grant helps fund Wisconsin’s Coalition Against Domestic Violence and the Coalition Against Sexual Assault. With the exception of grants for specialized prosecution, local units of government have a three-year maximum for use of these funds.

For 2002-03, OJA is budgeted \$105,900 FED to administer the VAWA STOP formula grant program. Under the VAWA STOP formula grant program, 5% of the federal grant award may be

used to cover the costs of administration.

*Rural Domestic Violence and Child Victimization Enforcement Grants.* This grant program under VAWA is designed to enhance services available to rural victims and children by developing a coordinated community response to domestic violence, dating violence and child abuse. Eligible grantees and subgrantees under the program include the state and local governments, public and private entities and tribal governments. Funding applications to the federal government are submitted by OJA, the state agency administering the STOP formula grants program.

For FFY 2001, OJA received a two-year \$870,000 Rural Domestic Violence and Child Victimization Enforcement grant through September 30, 2003. This grant supports the Wisconsin Coalition Against Domestic Violence Rural Northern Technical Assistance Center, which provides support to domestic violence projects in 62 rural counties.

For FFY 2002, OJA has received a \$680,000 Rural Domestic Violence and Child Victimization Enforcement grant. This grant supports a coalition of agencies that provide services to migrant/Hispanic victims of domestic violence and a three-county (Trempealeau, Buffalo and Jackson) assessment of victim service needs.

*Safe Havens: Supervised Visitation and Safe Exchange Grant Program.* This grant program under VAWA is designed to help create safe places for visitation with and exchange of children in cases of domestic violence, child abuse, sexual assault, or stalking. Eligible grantees and subgrantees include the state, local units of government, and Indian tribal governments that propose to enter into contracts with public and private nonprofit entities to provide supervised visitation and safe visitation exchange of children in the situations identified above. OJA has received \$120,000 in FFY 2002 under this program. These funds had not yet been awarded by the end of 2002.

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## Crime Victims Council

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The Wisconsin Crime Victims Council is a statutory, 15-member body whose members are appointed to staggered, three-year terms by the Attorney General. Of the 15 members, 10 are citizen members, two are representatives of organizations that provide victim support services, and one represents each of the following entities: law enforcement agencies, district attorneys, and the judiciary. The Council's purpose is to study and make recommendations regarding the needs of crime victims in Wisconsin.

The Council, through its subcommittees: (a) reviews and makes recommendations on legislation and public policy; (b) studies access to crime victim services; (c) provides policy recommendations to the judiciary, law enforcement officers, mental health providers and professionals and the public regarding crime victim needs; and (d) advocates for crime victims, including the use of the media to raise public awareness of victim issues.

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## Appendices

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Several appendices summarize major aspects of state programs that serve crime victims and witnesses. The following appendices describe: (1) the rights of victims and witnesses (Appendix I); (2) the duties to crime victims assigned to various participants and organizations in the criminal and juvenile justice systems (Appendix II); (3) the losses or injuries for which compensation is provided under the crime victim compensation program (Appendix III); (4) the eligibility requirements for crime victim compensation awards (Appendix IV); (5) the limits placed on crime victim awards and whether the awards are funded from state or federal revenues (Appendix V); (6) the number of new

claims filed under the crime victim compensation program in 1999-01, by category of claims, (Appendix VI); (7) the grants awarded for sexual assault victim services for the period 2000 through 2002 (Appendix VII); (8) the federal VOCA grants

awarded for FFY 2000 through FFY 2002 (Appendix VIII); and (9) the subgrants awarded under the federal Children's Justice Act from July, 1999, through November, 2002 (Appendix IX).



## APPENDIX I

### Rights of Victims and Witnesses

#### Rights of Victims

Under s. 950.04(1v) and related statutory sections, *victims* of crimes have the following rights:

1. To have his or her interest considered when the court is deciding whether to grant a continuance in the case.

2. To attend court proceedings in the case, unless the judge or court commissioner finds that exclusion of the victim is necessary to provide a fair trial for the defendant or a fair fact-finding hearing for the juvenile, or if a portion of the hearing will deal with sensitive personal matters of the juvenile or the juvenile's family and it does not directly relate to the act or alleged act committed against the victim. The court may require the victim to exercise his or her right to attend court proceedings using telephone or live audiovisual means, if available, if the victim is detained by any law enforcement agency or is an inpatient in a treatment facility, and the victim or the victim's family has not designated a person to exercise the victim's rights.

3. To be provided with appropriate intercession services to ensure that employers of victims will cooperate with the criminal and juvenile justice processes in order to minimize an employee's loss of pay and other benefits resulting from court appearances.

4. Victims of abusive conduct have the right to be accompanied by a service representative (a member of an organization or victim assistance program who provides counseling or support services to complainants or petitioners and who

charges no fee for such services).

5. Victims of certain sexual assault offenses have the right to request an order for, and to be given the results of, testing to determine the presence of a communicable disease.

6. To be provided a waiting area, if available, to use during hearings or court proceedings that is separate from any area used by the juvenile or defendant and their respective relatives and witnesses. If a separate waiting area is not available, a county must provide other means to minimize the contact between the victim and the juvenile or defendant and their respective relatives and witnesses.

7. Victims of certain sexual assault offenses have the right to have their interests considered by the court in determining whether to exclude persons from a preliminary hearing.

8. To have the Parole Commission make a reasonable attempt to notify the victim of applications for parole.

9. To have reasonable attempts made to notify the victim of hearings or court proceedings.

10. To have reasonable attempts made to notify the victim of petitions for sentence adjustment.

11. To have, at his or her request, the opportunity to consult with intake workers, district attorneys and corporation counsel in juvenile cases.

12. To have, at his or her request, the

opportunity to consult with the prosecution in a case brought in a court of criminal jurisdiction.

13. To a speedy disposition of the case in which they are involved as a victim in order to minimize the length of time they must endure the stress of their responsibilities in connection with the matter.

14. To have the district attorney or corporation counsel, whichever is applicable, make a reasonable attempt to contact the victim concerning the victim's right to make a statement before the consent decree, dispositional hearing or sentencing.

15. To provide statements concerning sentencing, disposition, or parole.

16. To have direct input in the parole decision-making process.

17. To attend parole interviews or hearings and make statements at the interview or hearing.

18. To attend a hearing on a petition for modification of a bifurcated sentence and provide a statement concerning modification of the bifurcated sentence.

19. To have information concerning the impact of a delinquent act on the victim included in a court report and to have the person preparing the court report attempt to contact the victim.

20. To have the person preparing a presentence investigation make a reasonable attempt to contact the victim to determine the economic, physical and psychological effect of the crime on the victim.

21. To have other information pertaining to the economic, physical and psychological effect of the crime upon the victim provided to and considered by the court.

22. To restitution.

23. To a judgment for unpaid restitution.

24. To compensation through the crime victim compensation program.

25. To have any stolen or other personal property expeditiously returned by law enforcement agencies when no longer needed as evidence. If feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis and property the ownership of which is disputed, must be returned to the person within ten days of being taken.

26. Within 24 hours after initial contact between the victim and law enforcement agency, to have the law enforcement agency inform victims about their rights; availability of crime victim compensation and who to contact for such compensation; address and telephone numbers of the intake worker, the corporation counsel or district attorney, and the custodial agency responsible for the suspect; suggested procedures victims should follow when facing threats or intimidation arising from cooperation with law enforcement and prosecution efforts; and address and telephone number for further information about victim services.

27. No later than ten days after the initial appearance or 24 hours before a preliminary examination, whichever is earlier, to have the district attorney make a reasonable attempt to provide each victim written information about the procedure for prosecuting a crime, the rights of victims and how to exercise those rights, the person or agency to notify if the victim changes his or her address and wants to continue to receive services and notices about court proceedings, the crime victim compensation program, and the person to contact for further information about the prosecution of the case.

28. To have the district attorney make a reasonable attempt to notify the victim regarding conditional releases.

29. To have the Department of Corrections make a reasonable attempt to notify the victim regarding community residential confinements, participation in the intensive sanctions program, escapes from a prison, persons registered as sexual offenders, release upon expiration of certain sentences, parole releases, and release or escape of a juvenile from correctional custody.

30. To have the Department of Corrections make a reasonable attempt to notify the victim regarding leave granted to qualified inmates (inmates in minimum security institutions who leave confinement to visit an ill family member, attend a family member's funeral, contact a prospective employer, screen for or diagnose or treat an injury or illness, or visit a family member to facilitate family reintegration and stability).

31. To have the appropriate clerk of court send the victim a copy of an inmate's petition for extended supervision and notification of the hearing on that petition.

32. To have the Department of Health and Family Services make a reasonable attempt to notify victims of someone found guilty by reason of mental disease or defect of home visits by the guilty party, and termination or discharge of the guilty party from the Department.

33. To have the Department of Health and Family Services make a reasonable attempt to notify the victim regarding supervised release or discharge of sexually violent persons.

34. To have reasonable attempts made by the intake worker, district attorney or corporation counsel to notify the victim concerning actions taken in a juvenile proceeding.

35. To have the Governor make a reasonable attempt to notify the victim of a pardon application.

36. To make a written statement concerning pardon applications.

37. To request information from a district attorney concerning a case involving a crime of which he or she was a victim including: (a) any hearings; (b) a decision to not charge a person with a crime; (c) case dismissal; and (d) disposition of the case.

38. If requested by the victim, the victim has the right to confer about the prosecution of the case and the possible outcomes of the prosecution, including potential plea agreements and sentencing recommendations.

39. To complain to the Department of Justice concerning the treatment of crime victims, and to request review by the Crime Victims Rights Board of the complaint.

### **Rights of Witnesses**

Under s. 950.04(2w) and related statutory sections, **witnesses** of crimes have the following rights:

1. To request information from the district attorney about the final disposition of the case.

2. To be notified that a court proceeding to which they have been subpoenaed will not go on as scheduled, in order to save the person an unnecessary trip to court.

3. To receive protection from harm and threats of harm arising out of their cooperation with law enforcement and prosecution efforts, and to be provided with information as to the level of protection available.

4. To be informed of financial assistance and other social services available as a result of being witness of a crime, including information on how to apply for the assistance and services.

5. To be informed of the procedure to apply for and receive any witness fee to which they are entitled.

6. To be provided a waiting area by the county, if available, to use during hearings or court proceedings that is separate from any area used by the juvenile or defendant and their respective relatives and witnesses. If a separate waiting area is not available, a county must provide other means to minimize the contact between the witness and the juvenile or defendant and their respective relatives and witnesses.

7. To have any stolen or other personal property expeditiously returned by law enforcement agencies when no longer needed as evidence. If feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis and property the ownership of which is disputed, must be returned to the person within 10 days of being taken.

8. To be provided with appropriate intercession services to ensure that employers of witnesses will cooperate with the criminal and juvenile justice processes in order to minimize an employee's loss of pay and other benefits resulting from court appearances.

9. To be entitled to a speedy disposition of the case in order to minimize the length of time they must endure the stress of their responsibilities in connection with the matter.

## APPENDIX II

### Duties to Crime Victims of Various Participants in the Criminal and Juvenile Justice Systems

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#### Law Enforcement Agencies

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In *juvenile or adult criminal* cases, law enforcement agencies have the following duties under ss. 938.396(1g) and 950.08(2g) of the statutes:

1. No later than 24 hours after initial contact with a victim of a crime that the law enforcement agency is responsible for investigating, the law enforcement agency must make a reasonable attempt to provide the victim written information on all of the following:

- A list of the victim's rights (see Appendix I);
- The availability of crime victim compensation and the address and telephone number for information concerning compensation;
- The address and telephone number of the intake worker, corporation counsel or district attorney whom the victim may contact for information about victims' rights, notice of court proceedings, and the opportunity to confer;
- The address and telephone number of the custodial agency that the victim may contact for information about the taking into custody or arrest of the suspect, and the release of the person arrested or taken into custody;
- Suggested procedures for the victim to follow if he or she is subject to threats or intimidation arising out of his or her cooperation with law enforcement and prosecution efforts relating to a crime of which he or she was a victim; and

- The address and telephone number of the Department of Justice or any local agency that provides victim assistance in order to obtain further information about services available for victims, including medical services.

2. If requested by the victim/witness coordinator, a law enforcement agency must disclose to the victim/witness coordinator any information in its records relating to the enforcement of victims' rights or the provision of county victim and witness services.

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#### Intake Workers

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In *juvenile* cases, intake workers have the following duties under s. 938.346(lm) of the statutes:

1. Make a reasonable attempt to provide timely notice of the procedure for obtaining the identity of juvenile and juvenile's parents, the juvenile's police records, the potential liability of the juvenile's parents, and the victim's following rights:

- The right to be accompanied by a service representative;
- The right to restitution;
- The right to compensation;
- The right to a speedy disposition of the case;
- The right to have personal property returned; and

- The right to complain to the Department of Justice concerning the treatment of crime victims and to request review by the Crime Victims' Rights Board of the complaint.

2. The intake worker must make a reasonable attempt to provide the victim with notice of a deferred prosecution agreement and of the victim's right to confer, if the victim requests, with the intake worker about the deferred prosecution agreement.

3. Before entering into a deferred prosecution agreement, the intake worker must offer victims who have requested the opportunity, an opportunity to confer with the intake worker about the proposed deferred prosecution agreement.

4. If the intake worker decides to close a case on a juvenile alleged to be delinquent or in need of protection or services, the intake worker must make a reasonable attempt to inform the victims that the case is being closed.

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**Prosecutors (District Attorneys, Corporation Counsel and Others Authorized or Designated to Prosecute a Case)**

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Under ss. 950.08(2r), 971.095, 973.195(1r)(d) and related statutory sections, in **adult criminal** cases, a prosecutor has a duty to:

1. Make a reasonable attempt to provide to each victim of the crime written information on all of the following no later than the earlier of ten days after the initial appearance or 24 hours before a preliminary examination of a person charged with a crime:

- A brief statement of the procedure for prosecuting a crime;

- A list of victims' rights and information on how to exercise those rights;

- The person or agency to notify if the victim changes his or her address and wants to continue to receive notices regarding the case;

- The availability of crime victim compensation, including information concerning eligibility for compensation and the procedure for applying for compensation; and

- The person to contact for further information about the case.

2. As soon as practicable, offer all of the victims in the case who have requested the opportunity, an opportunity to confer with the prosecutor concerning the prosecution of the case and the possible outcomes of the prosecution, including potential plea agreements and sentencing recommendations.

3. At the request of the victim, make a reasonable attempt to provide the victim with notice of the date, time and place of scheduled court proceedings (except a proceeding held before the initial appearance to set conditions of release) applicable to the victim and any changes in the date, time or place of a scheduled court proceeding for which the victim has received notice.

4. If a person is arrested for a crime but the prosecutor decides not to charge the person with a crime, make a reasonable attempt to inform all victims of the crime that the person will not be charged with a crime at that time.

5. If a person is charged with committing a crime and the charge against the person is subsequently dismissed, make a reasonable attempt to inform all victims of the charged crime that the charge has been dismissed.

6. Make a reasonable attempt to provide information concerning the disposition of a case to any victim of the crime who requests the information.

7. After a conviction, if the prosecutor knows of a crime victim to be considered at sentencing, make a reasonable attempt to inform him or her of the right to make or provide a statement to the court before the sentence is pronounced.

8. If an inmate petitions a court to adjust a sentence for a second degree sexual assault, third degree sexual assault or soliciting a child for prostitution conviction, and the prosecutor does not object to the petition within 10 days of receiving notice of the petition, the prosecutor must notify the victim of the inmate's petition. The notice must include information on the sentence adjustment petition process, including how to object to the inmate's petition. If the victim objects to adjustment of the inmate's sentence within 45 days of the date on which the district attorney received notice of the petition, the court must deny the inmate's petition.

9. If a court conditionally releases a defendant who was found not guilty by reason of mental disease or defect, make a reasonable attempt to notify the victim of the crime committed by the defendant or, if the victim died as a result of the crime, an adult member of the victim's family or, if the victim is younger than 18 years old, the victim's parent or legal guardian.

In **juvenile** cases, a prosecutor has a duty under Chapter 938 of the statutes to:

1. If a juvenile is alleged to be delinquent or in need of protection or services and the prosecutor decides not to file a petition, make a reasonable attempt to inform the victim that a petition will not be filed.

2. Make a reasonable attempt to contact the victim or alleged victim to inform them of the right

to receive notice of any hearing involving the juvenile. If the victim wishes to receive such notice, the prosecutor must make a reasonable attempt to provide such notice.

3. Before the plea hearing, offer the victim who has requested the opportunity, an opportunity to confer with the prosecutor about possible outcomes of the proceeding, including potential plea agreements and recommendations the prosecutor may make with respect to the disposition.

4. If a petition for a juvenile alleged to be delinquent or in need of protection or services is dismissed or does not result in a consent decree or dispositional order, make a reasonable attempt to inform the victim that the petition has been dismissed or will not result in a consent decree or dispositional order.

5. Before agreeing to a consent decree with the juvenile alleged to be delinquent or in need of protection or services, offer all victims who have requested the opportunity, an opportunity to confer with the prosecutor concerning the proposed consent decree.

6. Before entering into a consent decree in a proceeding in which the juvenile is alleged to be delinquent or in need of protection or services, make a reasonable attempt to inform the victim of his or her right to make a statement to the court.

7. After a finding that the juvenile is delinquent or in need of protection or services, make a reasonable attempt to inform the victim of his or her right to make a statement to the court before a disposition is imposed.

8. Make a reasonable attempt to provide timely notice to the victim of the procedure to request that a juvenile alleged to have committed sexual assault with an adult or child victim, or sexual exploitation or incest with a child victim submit to a test for HIV or other sexually

transmitted disease and to have the test results disclosed to the victim or if the victim is a child, the victim's parent or legal custodian.

9. Make a reasonable attempt to provide timely notice to the victim of a victim's right to request and receive notice of the time and place of any hearing that the victim may attend.

10. Make a reasonable attempt to provide timely notice to the victim about a victim's right to: (a) a waiting area separate from the juvenile, juvenile's family or witnesses, or, if not available, other means to minimize the contact between the victim and the juvenile, juvenile's family or witnesses; (b) have his or her interest considered concerning continuances in the case; (c) have victim impact information included in a court report (the court report describes the juvenile's history, needs and proposed treatment plan) and, if the alleged act would constitute a felony if committed by an adult, have the report writer attempt to contact the victim to help determine the economic, physical and psychological effect of the delinquent act on the victim; (d) employer intercession services; and (e) make a statement to the court before the court enters into a consent decree or imposes a disposition.

11. Make a reasonable attempt to provide timely notice of: (a) a consent decree or dispositional order; (b) decisions not to file a petition; (c) dismissal of proceedings; (d) proceedings that do not result in consent decrees or dispositional orders; and (e) if the victim requests, information relating to the right to confer about possible outcomes of the proceedings, and the amendment of petitions, consent decrees and disposition recommendations.

12. In order that the victim may be notified if the delinquent juvenile is released or escapes, provide cards, supplied by the Department of Corrections without charge, to the victim, victim's parent or legal guardian, or victim's adult relative to allow the victim to give his or her name, telephone

number, address, and the name of the applicable juvenile.

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## The Courts

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In **adult criminal** cases, the courts have the following duties under ss. 971.08(1)(d), 971.095(2), 971.10(3)(b)3, 971.315 and 972.14(2m) of the statutes:

1. Before a court dismisses a criminal charge against a person, inquire whether the district attorney has offered all of the victims in the case who have requested the opportunity, an opportunity to confer with the district attorney concerning the prosecution of the case and the possible outcomes of the prosecution, including potential plea agreements and sentencing recommendations.

2. Before accepting a plea, inquire whether the district attorney offered the opportunity to all victims who requested the opportunity to confer with the district attorney concerning the prosecution of the case and the possible outcomes of the prosecution, including potential plea agreements and sentencing recommendations.

3. Before pronouncing sentence, inquire whether the district attorney has offered all of the victims in the case who have requested the opportunity, an opportunity to confer with the district attorney concerning the prosecution of the case and the possible outcomes of the prosecution, including potential plea agreements and sentencing recommendations.

4. Before pronouncing sentence, inquire whether any of the victims of a crime considered at sentencing requested notice of the date, time and place of the sentencing hearing and, if so, whether the district attorney provided to the victim notice of the date, time and place of the sentencing hearing.

5. Before pronouncing sentence, inquire whether the district attorney has made a reasonable attempt to inform the victim of the right to make or provide a statement to the court after a conviction.

6. Before pronouncing sentence, determine whether a victim wants to make a statement to the court. If the victim wants to make a statement, allow the victim to make a relevant statement in court or to submit a written statement to be read in court.

7. When determining whether to grant a continuance, consider the interests of the victim.

In **juvenile** cases where the juvenile is alleged or adjudged delinquent or in need of protection or services, the courts have the following duties under Chapter 938:

1. Before accepting a plea, inquire: (a) whether the prosecutor has made a reasonable attempt to offer all victims who have requested the opportunity, an opportunity to confer with the prosecution concerning the possible outcomes of the proceedings, including potential plea agreements; (b) whether the prosecutor has made a reasonable attempt to inform all victims of their right to receive notice of any hearing relating to the juvenile and, if a victim wished to receive a notice, that the prosecutor made a reasonable attempt to give the notice; and (c) whether any victims requested notice of the date, time and place of the plea hearing and, if so, whether the prosecutor provided this notice to the victim.

2. Before entering into a consent decree, determine whether the victim wants to make a statement to the court and, if the victim wishes to make a statement, allow the victim to make a statement in court or submit a written statement to be read in court.

3. Before entering into a consent decree, inquire: (a) whether the prosecutor offered the

4. victims who have requested the opportunity an opportunity to confer with the prosecutor regarding the proposed consent decree; (b) whether the prosecutor made a reasonable attempt to inform the victim of the right to make a statement in court before a consent decree is entered; (c) whether the prosecutor made a reasonable attempt to inform the victim of the right to receive notice of any hearing and, if the victim wishes to receive notice, that the prosecutor made a reasonable attempt to give such notice; and (d) whether the prosecutor notified the victim of the date, time and place of the consent decree hearing if the victim requested such notice.

5. Before imposing a disposition, determine whether the victim wants to make a statement relevant to the disposition to the court and, if so, allow the victim to make a statement in court or submit a statement to be read in court.

6. Before imposing a disposition, inquire whether the prosecutor has made a reasonable attempt to inform the victim of a victim's right to make a statement in court and whether the prosecutor has made a reasonable attempt to inform the victim of the right to receive a notice of any hearing involving the juvenile. The court must also inquire whether the victim wished to be notified of any hearing, including the date, time and place of the dispositional hearing, and whether the prosecutor made a reasonable attempt to give such notice to the victim.

7. Upon the victim/witness coordinator's request to review court records for the sole purpose of enforcing victims' rights and provision of services, allow the victim/witness coordinator to inspect those records.

8. Upon the request of the victim's insurer, disclose to an authorized representative of the insurer the amount of restitution, if any, that the court has ordered a juvenile to make to the victim.

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## Counties

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In **juvenile or adult criminal** cases, counties have the following duty under ss. 938.2965 and 967.10 of the statutes:

1. If an area is available and practical, provide a waiting area for a victim or witness to use during court proceedings (adults) or hearings (juveniles) that is separate from the area used by the offender, offender's family or offender's witnesses. If an area is not available or practical, the county must provide other means to minimize the contact between the victim or witness and the offender, offender's family or offender's witnesses.

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## The Department of Justice

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In **adult criminal or juvenile** cases, the Department of Justice has the following duties under s. 950.08(1) and (2) of the statutes:

1. Maintain a toll-free telephone number to provide crime victims and witnesses with all of the following services: (a) information and referral to available services; (b) crisis counseling and emotional support; and (c) assistance in securing resources and protection.

2. Provide an informational program to inform crime victims, the general public, criminal justice officials and related professionals about crime victims' rights and services.

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## The Department of Corrections

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In **adult criminal** cases, the Department of

Corrections has the following duties under Chapter 301 and ss. 302.115, 303.068 and 304.063 of the statutes:

1. Design and prepare cards for victims, witnesses, adult members of the victim's family, or the victim's parent or legal guardian. The cards must allow the person to provide his or her name, telephone number, mailing address, and name of applicable offender. The Department of Corrections must provide these cards, free of charge, to district attorneys.

2. After receiving a completed card and before an offender convicted of certain serious crimes is confined under the community residential confinement program, make a reasonable attempt to notify the victim (or if the victim died as a result of the crime, an adult member of the victim's family, or if the victim is less than 18 years old, the victim's parent or legal guardian). The Department of Corrections must make a reasonable effort to post-mark the notice at least seven days before a prisoner is confined, and send the notice to the recipient's last-known address.

3. After receiving a completed card and as soon as possible after a prisoner, probationer, parolee or person on extended supervision who has been convicted of certain serious crimes enters the intensive sanctions program, make a reasonable attempt to notify the victim (or if the victim died as a result of the crime, an adult member of the victim's family, or if the victim is less than 18 years old, the victim's parent or legal guardian). The Department of Corrections shall make a reasonable effort to send the notice to the recipient's last-known address.

4. After receiving a completed card, if a prisoner escapes from a prison, make a reasonable attempt to notify by telephone, as soon as possible after the escape and after any subsequent apprehension of the prisoner, the victim (or if the victim died as a result of the crime, an adult member

of the victim's family, or if the victim is less than 18 years old, the victim's parent or legal guardian).

5. Make a reasonable attempt to notify the victim or a member of the victim's family who has requested to be notified about a person required to register as a sexual offender when the person registers with the Department of Corrections as a sexual offender, or when a person who is registered informs the Department of Corrections of a change in information such as name or address.

6. After receiving a completed card and before an inmate who is in prison serving a sentence for certain serious offenses is released from imprisonment because he or she has reached the expiration date of his or her sentence, make a reasonable attempt to notify the victim of the crime (or if the victim died as a result of the crime, an adult member of the victim's family or, if the victim is less than 18 years old, the victim's parent or legal guardian). The Department of Corrections must make a reasonable effort to postmark the notice at least seven days before an inmate's sentence expires and he or she is released from imprisonment, and the notice shall be sent to the recipient's last-known address.

7. After receiving a completed card and before a prisoner convicted of certain serious offenses is released on parole or extended supervision, make a reasonable attempt to notify the victim of the crime (or if the victim died as a result of the crime, an adult member of the victim's family or, if the victim is less than 18 years old, the victim's parent or legal guardian). The Department of Corrections must make a reasonable attempt to send the notice, postmarked at least seven days before a prisoner is released on parole or extended supervision, to the recipient's last-known address.

8. After receiving a completed card and before an inmate imprisoned for certain serious offenses is released on leave, make a reasonable attempt to notify the victim regarding leave granted to

qualified inmates (inmates in minimum security institutions who leave confinement to visit an ill family member, attend a family member's funeral, contact a prospective employer, screen for or diagnose or treat an injury or illness, or visit a family member to facilitate family reintegration and stability). The Department of Corrections must make a reasonable attempt to send the notice, postmarked at least seven days before an inmate is released on leave, to the recipient's last-known address.

In **juvenile** cases, the Department of Corrections has the following duties under s. 938.51(1), (1d) and (4):

1. Design and prepare cards for the victim, victim's parent or legal guardian or adult relative of the victim to send to the Department of Corrections or the county department having supervision of the juvenile. The cards must allow the person to provide his or her name, telephone number, mailing address and name of applicable juvenile. The Department of Corrections must provide these cards, free of charge, to district attorneys.

2. At least 15 days prior to a juvenile's release from a secured correctional facility, a secured child caring institution, a secured group home or the Department's supervision, make a reasonable attempt to notify the following persons of the juvenile's release: (a) the victim if the victim can be found and has sent in a request card; (b) if the victim is deceased, then an adult relative of the victim if the relative can be found and has sent in a request card; or (c) if the victim is not deceased, but under age 18, then the victim's parent or legal guardian, provided that the parent or legal guardian can be found and has sent in a request card.

3. At least 15 days prior to the release from a nonsecured child caring institution of a juvenile who has been adjudicated delinquent and who has committed a violent crime (as defined by Chapter 940 of the statutes) or has physically or sexually

abused a child, notify the persons identified in 2. above of the juvenile's release.

4. If a juvenile escapes, as soon as possible after the Department discovers that escape, make a reasonable attempt to notify, by telephone, the persons identified in 2. above.

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### County Departments That Supervise Juveniles

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In *juvenile* cases, county departments that supervise juveniles have the following duties under s. 938.51(1)(1d) and (4) of the statutes:

1. At least 15 days prior to an adjudicated delinquent's release from the county department's supervision, make a reasonable attempt to notify the following persons of the juvenile's release: (a) the victim if the victim can be found and has sent in a request card; (b) if the victim is deceased, then an adult relative of the victim if the relative can be found and has sent in a request card; or (c) if the victim is not deceased but under age 18, then the victim's parent or legal guardian, provided that the parent or legal guardian can be found and has sent in a request card.

2. At least 15 days prior to the release from a nonsecured child caring institution of either: (a) an adjudicated delinquent; or (b) a juvenile who has been found to be in need of protection or services who is under the age of 10 and has committed a delinquent act and who has committed a violent crime (as defined by Chapter 940 of the statutes) or has physically or sexually abused a child, notify the persons listed in 1. above of the juvenile's release.

3. At least 15 days prior to the release from an inpatient facility or a nonsecured child caring institution of a juvenile found to be in need of protection or services and who has been found not responsible for a delinquent act by reason of

mental disease or defect or to be not competent to proceed, notify the persons listed in 1. above of the juvenile's release.

4. If a juvenile escapes, as soon as possible after the county department having supervision over the juvenile discovers that escape, make a reasonable attempt to notify, by telephone, the persons identified in 1. above of the juvenile's escape.

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### The Parole Commission

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In *adult criminal* cases, the Parole Commission has the following duties under s. 304.06(1) of the statutes:

1. Design and prepare cards for the victim or, if the victim died as a result of the crime, an adult member of the victim's family or, if the victim is younger than 18 years old, the victim's parent or legal guardian. The cards must allow the victims to provide their names and addresses and the name of the applicable prisoner. The Parole Commission must provide the cards, without charge, to district attorneys. District attorneys must provide the cards, without charge, to the victim or appropriate family member. These persons may send the completed cards to the Parole Commission.

2. If an inmate applies for parole, make a reasonable attempt to notify the victim or, if the victim died as a result of the crime, an adult member of the victim's family or, if the victim is younger than 18 years old, the victim's parent or legal guardian, upon submission of a card requesting notification of an inmate's first application for parole and, if requested, of subsequent applications for parole. The notice must be sent by first-class mail at least three weeks before the interview or hearing. The notice must do all of the following:

- Inform the victims or appropriate family members of the manner in which they may attend interviews or hearings and make statements at the interview or hearing or provide written statements.

- Inform victims of certain serious offenses of the manner in which they or their appropriate family members may have a direct input in the parole decision-making process.

- State the name of the inmate, the date and term of the sentence and the date when the written statement must be received in order to be considered.

- State the date of the interview or hearing that the person may attend.

- If the notice is for a first application for parole, inform victims or appropriate family members that notification of subsequent applications for parole will be provided only upon request.

3. Permit the victim or appropriate family member to provide written statements and give consideration to any written statements received on or before the date specified in the notice.

4. Permit any victim or appropriate family member to attend any interview or hearing on the parole application of an applicable inmate and to make a statement at that interview or hearing.

5. Promulgate rules that provide a procedure to allow any person who is a victim, or a family member of a victim, of certain serious crimes to have direct input in the parole decision-making process.

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**The Department of Health and Family Services**

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In *adult criminal* cases, the Department of Health and Family Services (DHFS) has the

following duties under ss. 51.37(10) and 971.17(4m)(d) and (6m) of the statutes:

1. Design and prepare cards for victims, or, if the victim died as a result of the crime, an adult member of the victim's family or, if the victim is younger than 18 years old, the victim's parent or legal guardian to send to DHFS. The cards must have space for these persons to provide their names and addresses, the name of the applicable defendant and any other information DHFS deems necessary. DHFS must provide the cards, without charge, to district attorneys or the Department of Justice, if applicable. District attorneys or the Department of Justice must provide the cards, without charge, to the victim or appropriate family members. These persons may send the completed cards to DHFS.

2. If the court conditionally releases a defendant found not guilty by reason of mental disease or defect and if the district attorney requests assistance in obtaining information about the victim or victim's family for notification purposes, assist the district attorney in obtaining the requested information.

3. If the court orders that the commitment of a defendant found not guilty by reason of mental disease or defect is terminated or orders such defendant to be discharged upon expiration of the commitment order, make a reasonable attempt to notify the victim of the crime committed by the defendant, or, if the victim died as a result of the crime, an adult member of the victim's family or, if the victim is younger than 18 years old, the victim's parent or legal guardian, provided that the victim or appropriate family member submitted a card for notification. The notice must do the following:

- Inform the victim or appropriate family member of the defendant's name and termination or discharge date.

- Be postmarked at least seven days before the defendant's termination or discharge date and sent

to the recipient's last-known address.

4. If a patient admitted to a state treatment facility as a result of a criminal commitment is granted a home visit for up to 15 days, or a leave for employment or education purposes in which the patient is not absent from the facility for more than 15 days, make a reasonable attempt to notify the victim of the crime committed by the patient or, if the victim died as a result of the crime, an adult member of the victim's family or, if the victim is younger than 18 years old, the victim's parent or legal guardian, after receiving a card requesting notification. The notice must be postmarked at least seven days before the patient begins the extended home visit or leave. The notice for the first visit or leave must inform the victim that notification of subsequent home visits or leaves will be provided only upon request.

In **juvenile or adult criminal cases**, DHFS has the following duty under s. 980.11:

1. If the court places a sexually violent person committed under Chapter 980 on supervised release or discharges that person, make a reasonable attempt to notify the victim or, an adult member of the victim's family, if the victim died as a result of the act of sexual violence or, the victim's parent or legal guardian, if the victim is younger than 18 years old. The notice must do the following:

- Inform the victim or appropriate family member of the name of the person committed as a sexually violent person and the date the person is placed on supervised release or discharged.

- Be post-marked at least seven days before the date the person committed as a sexually violent person is placed on supervised release or discharged and sent to the last-known address of the recipient of the notice.

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## Report Writers

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In **adult criminal** cases, the person preparing the presentence investigation report has the following duty under s. 972.15(2m):

1. Make a reasonable attempt to contact the victim to determine the economic, physical and psychological effect of the crime on the victim. The person preparing the report may ask any appropriate person for information.

In **juvenile** cases, the agency designated to prepare a predispositional report about the history of and treatment plan for the juvenile has the following duties under s. 938.331:

1. If the delinquent act would constitute a felony if committed by an adult, attempt to determine the economic, physical and psychological effect of the delinquent act on the victim or, if the victim is deceased, a family member or cohabitant of the victim.

2. If the delinquent act would not constitute a felony if committed by an adult, but the victim has suffered bodily harm, or theft or damage to property, the report writer is encouraged to include information about the economic, physical and psychological effect of the delinquent act on the victim or, if the victim is deceased, a family member or cohabitant of the victim.

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## The Director of State Courts

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In **adult criminal** cases, the Director of State Courts has the following duty under s. 302.114(6)(e) of the statutes:

1. Design and prepare cards for a victim of a

crime committed on or after December 31, 1999, which resulted in a life sentence, to send to the clerk of the circuit court in which the inmate is convicted and sentenced. The cards must have space for a victim to provide his or her name and address, the name of the applicable inmate and any other information the Director of State Courts deems necessary. The Director of State Courts must provide the cards, without charge, to clerks of circuit court.

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### Clerks of Court

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In **adult criminal** cases, for all crimes committed on or after December 31, 1999, which resulted in a life sentence, if an inmate petitions a court for release to extended supervision, the clerk of circuit court in which the petition is filed has the following duties under s. 302.114 of the statutes:

1. Provide cards, designed and prepared by the Director of State Courts, without charge, to victims. Victims may send completed cards to the clerk of the circuit court in which the inmate was convicted and sentenced.

2. Send a copy of the petition and, if a hearing is scheduled, a notice of the hearing, to the victim, if the victim submitted a card asking for notification. The notice to the victim must inform the victim that he or she may appear at the hearing, if a hearing is scheduled, and must inform the victim of the manner in which he or she may provide written statements concerning the inmate's petition for release to extended supervision.

3. Make a reasonable attempt to send a copy of the inmate's petition to the victim's last-known

4. address within seven days of the date on which the petition is filed and make a reasonable attempt to send the notice of the hearing, if a hearing is scheduled, to the victim's last-known address, postmarked at least ten days before the date of the hearing.

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### The Governor

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In **adult criminal** cases, the Governor has the following duties under ss. 304.09 and 304.10 of the statutes:

1. Make a reasonable attempt to notify the victim or, if the victim is deceased, an adult member of the victim's family, of a pardon application. The notice of the pardon application must do the following:

- Provide the name of the convict, the crime of which he or she was convicted, the date and term of sentence, and the date, if known, when the application is to be heard by the Governor;

- State the manner in which the victim or appropriate family member may provide written statements or participate in any applicable hearing; and

- Be served to the victim or appropriate family member at least three weeks before the hearing of the application.

2. Upon receipt of a victim statement, place the statement with the other pardon application papers, after deleting the address of the victim or any member of the victim's family.

## APPENDIX III

### **Losses or Injuries for Which Compensation is Provided Through the State's Crime Victim Compensation Program**

1. Medical treatment, both physical and mental.
2. Lost wages.
3. Funeral and burial expenses.
4. Loss of support to dependents of a deceased victim.
5. Clothing and bedding held for evidentiary purposes.
6. Other property which is held for evidentiary purposes and is rendered unusable because of crime laboratory testing.
7. Replacement of homemaker services when the victim is the homemaker and unable to perform those services as a result of the crime.
8. Cleaning up and securing a crime scene.
9. Attorney's fees.
10. Emergency awards, defined as immediate payments made to a claimant if the Department of Justice determines an award will probably be made from the program and that undue hardship will result to the claimant if the payment is delayed.

## APPENDIX IV

### Eligibility for Awards Crime Victim Compensation Program

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#### Location of Criminal Act

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The criminal act for which victim compensation is being sought must have occurred within the Wisconsin. Wisconsin residents injured outside the state may seek compensation for any injuries committed, if the victim can show that the state, territory, country or political subdivision of a county in which the act occurred does not have a crime victim compensation program which covers the injury or death suffered by the person.

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#### Eligible Persons

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1. Victims of a compensable crime (see Table 4);
2. Dependents of the victim, if the victim dies;
3. Persons injured or killed while: (a) acting as a good samaritan; (b) attempting to prevent a crime or apprehend a criminal; or (c) aiding a crime victim or police officer.
4. Any person responsible for the maintenance of the victim who has suffered pecuniary loss or has incurred expenses as a result of the injury or death of the victim.

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#### Other Eligibility Requirements

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1. A claim for an award must be filed within one year after the injury or death. [DOJ in the interest of justice may waive this requirement].
2. The crime which resulted in the injury or death must be reported to the police.
3. DOJ must determine that a victim did not engage in conduct which substantially contributed to his or her injury or death or commit a crime which caused or contributed to his or her injury or death.
4. A claimant must cooperate with law enforcement agencies and DOJ.
5. The victim is not eligible for an award if that victim is an adult and freely rides with a driver (including a driver of a commercial vehicle) who the victim knew was under the influence of an intoxicant, controlled substance, a controlled substance analog or any combination, or had a prohibited blood alcohol concentration.
6. The victim must not be certified delinquent by the Department of Workforce Development in child support or maintenance payments or owing past support, medicaid expenses or birth expenses.
7. No award may be made to a claimant if the award would unjustly benefit the offender or accomplice.

## APPENDIX V

### Award Limits Crime Victim Compensation Program

Award	Overall Limits to Awards	Limits to Awards From State Funds	Limits to Awards from Federal Funds
Maximum limit for any one award.	\$40,000 (Not including burial expenses)	\$10,000	Amount in excess of state limit, but not to exceed \$40,000.
Award for burial and funeral expenses.	\$2,000	\$2,000	-0-
Reasonable replacement for clothing and bedding held for evidentiary purposes.	\$300	\$100	Amount in excess of state limit, but not to exceed \$300.
Cleaning up and securing a crime scene.	\$1,000	-0-	\$1,000
Award for the reasonable replacement value for property other than clothing and bedding that is held for evidentiary purposes and rendered unusable as a result of crime laboratory testing.	\$200	-0-	\$200
Lost wages.	Award is subject to \$40,000 maximum limit for a single award.	Not to exceed an amount equal to weekly worker's compensation limits.	Amount in excess of state limit, but not to exceed \$40,000 maximum limit for a single award.
Award for family members and for persons living in the same household with homicide victims for reimbursement of medical treatment or work loss resulting from their reaction to the crime.	Award is subject to \$40,000 maximum limit for a single award.	-0-	\$40,000

## APPENDIX VI

### Crime Victim Compensation Claims Filed 1999-01

Claim Category	Number of Claims
Aggravated Battery	1,952
Sexual Assault-Minor	857
Adult Sexual Assault	638
Robbery; Purse Snatching; Confronting a Person	296
Murder 1st & 2nd Degree	252
Adult Domestic Abuse	220
Injury by Intoxicated Use of a Motor Vehicle	200
Attempted Murder	125
Non-Compensable	112
Reckless Injury	111
Hit and Run Pedestrian	74
Operating Under the Influence of an Intoxicant	64
Abuse of Children Under 16	59
Injury by Negligent Use of a Weapon	54
Unknown	51
Reckless Driving	49
Homicide by Intoxicated Use of Vehicle or Fire	47
Homicide by Reckless Conduct	24
Burglary, Entering Building to Commit Felony	24
Homicide by Negligent Control of Vehicle	23
Arson	16
False Imprisonment	13
Theft, Stealing Property	11
Child Domestic Abuse	10
No Crime Committed	8
Battery, Special Circumstances	6
Kidnapping	6
Enticing a Child for Immoral Purposes	6
Car-Jacking-Operating Vehicle w/o Owner's Consent	6
Causing Mental Harm to a Child	4
Abandonment of Young Child	3
Stalking	3
Mayhem	2
Abduction	1
Sexual Exploitation by a Therapist	1
Terrorism	1
Arson (Other than a building)	0
Tampering with Household Products	0
<b>Total Claims Filed</b>	<b>5,329</b>

**APPENDIX VII**

**Sexual Assault Victim Services Grants Awarded in 2000 thru 2002**

Recipient	2000	2001	2002	Purpose of Grant in 2002
<b>Ashland County</b>				
New Day, Ashland	\$34,035	\$34,035	\$35,737	Fund a full-time Sexual Assault Intervention Coordinator plus training, travel, supply and other expenses.
<b>Brown County</b>				
Family Services of NE Wisconsin, Green Bay	60,445	98,596	101,618	Partially fund the SA Coordinator and Advocate positions in Brown, Oconto and Door Counties and Volunteer Coordinator in Brown; other funds are used to provide on-going training, travel, equipment, supplies, contractual costs and other expenses.
<b>Burnett County</b>				
Alternatives to Violence, Hertel	28,810	28,810	30,250	Fund 80% of a full-time Sexual Assault Advocate and training, travel, supplies, and other expenses.
<b>Chippewa County</b>				
Family Support Center, Chippewa Falls	26,250	26,250	27,563	Fund 50% of a full-time Sexual Assault Victim Services Coordinator and part of a Resource Development Coordinator, as well as other supporting and oversight positions plus training, travel, and supply costs.
<b>Dane County</b>				
Rape Crisis Center, Madison	52,500	67,300	69,925	Partial funding for many positions including Executive Director and Legal Advocate.
Safe Harbor, Madison		32,750	46,750	Partial funding for Safe Harbor Children's SA Coordinator plus equipment and supplies.
WCASA, Madison		15,000		
<b>Dodge County</b>				
People Against a Violent Environment (PAVE), Beaver Dam	33,910	52,546	54,242	Fund a full-time SA Educator/Advocate and half-time SA Coordinator for Dodge and Jefferson Counties plus training, travel and supplies/operating expenses.
<b>Douglas County</b>				
Center Against Sexual & Domestic Abuse (CASDA), Superior	40,425	40,425	42,446	Fund a full-time Sexual Assault Advocate in Douglas County and supervisor time plus training, travel, equipment, and supply expenses.
<b>Dunn County</b>				
Bridge to Hope, Menomonie	28,555	28,375	29,794	Fund 100% of a SA Counselor/Advocate and portions of other supporting positions, plus training, travel, supply expenses and bookkeeping services.
<b>Eau Claire County</b>				
Bolton Refuge House, Eau Claire	33,495	56,765	58,440	Fund 2 half-time Sexual Assault Advocate Coordinators in Eau Claire and Jackson Counties and 25% of the Children's Service Coordinator plus training, travel, operating, audit and other expenses.

Recipient	2000	2001	2002	Purpose of Grant in 2002
<b>Fond du Lac County</b>				
ASTOP, Fond du Lac	\$44,725	\$71,630	\$73,866	Fund 60% of two therapists and 100% of Educator/Prevention specialist plus training, travel, supplies and other expenses plus 40% of Ripon office rent.
<b>Grant County</b>				
Family Advocates, Platteville	33,390	49,155	34,080	Fund 55% of a full-time Sexual Assault Services Coordinator and 50% of a Youth Services Coordinator, along with training, travel, supply and other expenses.
<b>Green Lake County</b>				
Haven House, Berlin	38,327	45,915		
<b>Kenosha County</b>				
Pathways of Courage/KASA, Kenosha	59,035	59,035	61,987	Fund portions of the Volunteer Coordinator, two facilitators and a Project Assistant, plus Supplies/Operating expenses and Contractual costs for the hotline.
<b>Kewaunee County</b>				
Violence Intervention Project, Algoma	11,550	18,550	19,128	Fund a full-time Sexual Assault Advocate to serve SA victims in Kewaunee County. No other costs.
<b>La Crosse County</b>				
Gunderson Lutheran Medical Center, La Crosse	26,250	26,250	27,563	Portions of a Sexual Assault Counselor, Program Volunteer Coordinator, and a Sexual Assault Advocate, along with training and travel.
<b>Langlade County</b>				
AVAIL, Antigo	16,590	23,490	24,320	Fund portions of the Community Outreach and an Education Coordinator positions, plus training, travel, supplies, and contractual audit expenses.
<b>Lincoln County</b>				
HAVEN, Merrill	14,300	27,350	28,065	Fund 50% of the Client Service Coordinator and 30% of night and weekend crisis line staff plus training, travel, and other supply expenses.
<b>Manitowoc County</b>				
Family Services Lakeshore, Manitowoc	26,250			
Holy Family Memorial, Manitowoc		26,250	27,536	Fund portions of the Sexual Assault Program Coordinator., Director of Social Services and administrative support positions, along with training, travel, and supply costs.
<b>Marathon County</b>				
The Women's Community, Wausau	26,250	30,625	31,938	Portions of four positions – Family Advocate, SAVS Program Coordinator, Business Manager, Executive Dir. – plus expenses for training, travel, supplies and contractual costs for on-call crisis workers.
<b>Milwaukee County</b>				
Counseling Center, Milwaukee	52,500	111,825	114,450	Fund a full-time Therapist and partial funding of the Adolescent Sexual Abuse Program Director in the Hand-in-Hand Program for sexually abused teenage mothers; also funds travel, training, equipment, supplies and admin costs.  Fund a therapist to work with children in the Hand-in-Hand Program plus supplies and administrative expenses.

Recipient	2000	2001	2002	Purpose of Grant in 2002
Sexual Assault Treatment Center, Milwaukee	\$52,500	\$85,000	\$55,125	Fund a full-time Victim Service Specialist/Clinical Social Worker whose primary focus is on sexual abuse and people with special needs, including people in long term care facilities, the elderly, and people with disabilities plus related costs of training, travel, supplies and annual conference costs.
<b>Monroe County</b>				
Monroe County Domestic Abuse Project, Sparta	8,305	36,095		
Monroe County Sheltercare, Sparta			36,510	Fund two partial positions that equal 100% SA Advocate/Outreach staff as well as oversight staff, plus training, travel, supply and other costs.
<b>Oneida County</b>				
Tri-County Council on Domestic Violence and Sexual Assault, Rhinelander	26,250	35,838	37,151	Fund a Sexual Assault Program Director along with supervisory and administration support plus training, travel, supply and contractual costs.
<b>Ozaukee County</b>				
Advocates of Ozaukee, Saukville		39,000	40,500	Fund a full-time Sexual Assault Director along with training, travel, and other operating expenses.
<b>Polk County</b>				
Community Referral Agency (CRA), Milltown	28,875	28,875	30,319	Fund a full-time SA Coordinator for Polk and Burnett Counties plus travel and supply costs.
<b>Portage County</b>				
CAP Services, Stevens Point	23,940	42,835	44,032	Fund two staff who make-up the full-time Sexual Assault Victim Coordinator with supervisor costs plus training, travel, supply and other expenses.
<b>Racine County</b>				
Lutheran Social Services, Racine	43,280	43,280	45,444	Fund 75% of a full-time Sexual Assault Coordinator, and partial supervisory time plus training, travel, supply, contractual and other admin expenses.
<b>Richland County</b>				
Passages, Richland Center	16,170	31,439	32,248	Fund a full-time Sexual Assault Services Coordinator along with training, travel, supply and 41 hours of contracted therapy costs (\$2,062).
<b>Rock County</b>				
Family Service Association of Beloit, Beloit		3,800	41,700	Fund a full-time SA Program Coordinator plus training primarily for volunteers, travel, start-up equipment (pagers), supplies and administrative costs.
YMCA, Janesville	26,250			
YWCA of Rock County, Janesville		29,550	22,139	Funding 25% of Program Coordinator and Hispanic Outreach Specialist plus training, travel, supplies, contractual, and administrative expenses. Reflects a budget cut of personnel and training.

Recipient	2000	2001	2002	Purpose of Grant in 2002
<b>Rusk County</b>				
Time-Out Family Abuse Shelter, Ladysmith	\$40,800	\$40,800	\$42,840	Fund three Sexual Assault Advocates to provide services to sexual assault victims in Price, Washburn and Rusk Counties, plus training, travel, supply and contractual costs.
<b>Sauk County</b>				
Hope House, Baraboo	24,350	24,350	25,568	Fund a full-time Sexual Assault Advocate and a portion of the Director of Client Services along with training, travel, and supply expense.
<b>Sheboygan County</b>				
Safe Harbor, Sheboygan	38,010	38,010	39,911	Fund half of the Sexual Assault Services Coordinator, additional Advocate time, \$18,000 in therapist time plus training, travel, and supply costs.
<b>St. Croix County</b>				
Turningpoint for Victims of Domestic and Sexual Violence, River Falls	30,795	30,795	32,335	Fund a full-time Sexual Assault Victim's Services Coordinator to provide services to SA victims in Pierce and St. Croix Counties with supervisory and administrative staff support plus training, travel, supply and contractual costs.
<b>Taylor County</b>				
Stepping Stones, Medford	11,180	14,680	15,239	Fund a half-time SA/Legal Advocate and part of the agency Director and Child Advocate salary plus training, travel, and supplies.
<b>Walworth County</b>				
Associate for the Prevention of Family Violence, Elkhorn			37,276	A full-time Sexual Assault Advocate and training, travel, start-up equipment and operating expenses.
<b>Washington County</b>				
Friends of Abused Families, West Bend	38,215	38,215	40,126	Fund 90% of Sexual Assault Coordinator, portions of other support and supervisory positions, plus hourly Crisis Intervention Counselors; additional funding for training, travel, and other related expenses.
<b>Waukesha County</b>				
The Women's Center, Waukesha	26,250	26,250	27,563	Fund 75% of a Community Educator and portions of supporting positions plus training, travel, and supply costs.
<b>Winnebago County</b>				
Reach Counseling Services, Menasha	49,950	62,450	64,948	Fund a full-time Prevention Educator and a Sexual Assault Advocate for Winnebago County, plus training, travel and supply costs
Sexual Assault Crisis Center, Menasha	13,405	24,202	24,872	Fund portions of the salaries for a Community Educator II, Client Services Coordinator and Therapist plus travel, training, and supply expenses.

## APPENDIX VIII

### Wisconsin Victims of Crime Act (VOCA) Subgrantees from October 1, 1999 - September 30, 2002

Recipient	2000	2001	2002	Purpose of Grant October, 2001 - September, 2002
<b>State Agencies</b>				
WI Department of Corrections, Madison	\$49,500	\$56,925	\$56,925	Provides victims and families of victims with information, answering their questions, explaining the criminal justice system and the parole process, notification of parole hearings and decisions. The project includes the opportunity for meeting face-to-face with victims to address their issues and concerns and to obtain their input on parole hearing decisions and determination of conditions of release.
WI Department of Justice Victim Resource Center, Madison	260,000	99,364		
<b>Brown County</b>				
Family Services of Northeast WI, Inc., Green Bay	48,600	55,890	60,290	Provides crisis counseling, follow-up contact, therapy, group treatment and group support, 24-hour hotline, information and referral, medical support, criminal justice support, crime victim compensation assistance and personal advocacy to victims of child sexual abuse, adult sexual abuse and adult incest survivors in Brown County.
<b>Chippewa County</b>				
Family Support Center, Chippewa Falls	14,100	16,000	18,100	Provides easily accessible supportive services (crisis counseling, follow up contact, crisis hotline counseling, information and referral, criminal justice support/advocacy, emergency legal advocacy, crime victim compensation assistance, personal advocacy and telephone information and referral) to victims of domestic violence in Chippewa County.
<b>Dane County</b>				
Area Agency on Aging of Dane County, Madison			34,232	Create an elder victim specialist counselor (EVSC) position to provide services that will address the immediate health and safety needs, mental health assistance, assistance with participation in criminal justice proceedings, and other special services to crime victims who are 60 years of age or older and other vulnerable adults in Dane County.
Dane County District Attorney's Office, Madison	142,000	176,900	180,500	<p>Crime Response Program -- crisis response services, including one-on-one or group defusing and debriefing sessions, emotional support, information and referral to victims of violent crimes, their families and witnesses in Dane County.</p> <p>SafeHarbor -- criminal justice support and assistance, advocacy and information and referral located at an interdisciplinary child advocacy center in Dane County.</p>

Recipient	2000	2001	2002	Purpose of Grant October, 2001 - September, 2002
Domestic Abuse Intervention Services, Madison	\$28,100	\$57,535	\$64,230	<p>Provides services to domestic violence victims in Dane County, including supporting victims by helping them develop safely plans, assisting in filing protection orders, helping them see the orders are enforced, accompanying victims to court, working with court personnel such as bailiffs to increase safety of victims appearing in court, offering support to victims experiencing trauma related conditions as they move through the legal process, helping coordinate connections between victims with special legal needs to volunteer attorneys. Crisis line advocates offer active listening, support, referral and assistance in specific areas such as how to file a restraining order or information on enforcing orders protection and providing critical emotional support on an as needed basis.</p> <p>The Children's Program of Domestic Abuse Intervention Services will provide individual assessment of the impact of witnessing abuse and individual support and safety planning to children who witness domestic abuse in Dane County; assist non-offending parents in Dane County who experience domestic abuse with the development of a service plan for their children which include a safety plan; and structured group activities that promote a healthy self-concept, non-violent conflict resolution skills, empathy and ability to process emotions to children who witness domestic abuse in Dane County.</p>
Meriter Hospital SANE Program, Madison	70,000	80,500	80,500	Provides care to adult women and men and child victims of sexual assault and abuse, including crisis intervention, physical assessment for acute and chronic injury, medical-forensic evidence collection, assessment for and counseling regarding issues of sexually transmitted disease and pregnancy, HIV evaluation, counseling and referral for testing, forensic colposcopy and photo documentation.
Parents of Murdered Children, Madison	5,000	5,000	8,289	Self-help supportive services to survivors of homicide victims, including support group in Dane and surrounding counties.
Rape Crisis Center, Madison	63,600	73,280	70,830	Provides legal advocacy, crisis line counseling, support groups for victims of child sexual assault, adult sexual assault and adults molested as children in Dane County, including the operation of a satellite office on the University of Wisconsin-Madison campus.
Safe Harbor of Dane County, Inc., Madison		50,600	61,120	Provide crime victim services to alleged child victims of abuse and/or neglect and their non-offending caregiver. These services will include support and advocacy services as well as referral and follow-up services for the child and family.
Sun Prairie Police Department, Sun Prairie	30,000			

Recipient	2000	2001	2002	Purpose of Grant October, 2001 - September, 2002
<b>Door County</b>				
HELP of Door County, Inc., Sturgeon Bay		\$18,456	\$11,400	The Child Visitation and Exchange Program will provide safe exchange and supervised visitation between child victims of domestic violence and the offending/non-offending parents in Door County.
<b>Douglas County</b>				
Center Against Sexual & Domestic Abuse, Inc., Superior	\$44,000	66,600	74,133	Provide crisis counseling, follow up contact, group support, crisis hotline counseling, information and referral in-person and by telephone, criminal justice support and advocacy, emergency legal support and advocacy, crime victim compensation assistance and personal advocacy, in addition to shelter/safe house and a full range of shelter services to victims of domestic violence, sexual assault and child abuse in Douglas County.  Crisis intervention, individual counseling and advocacy, support groups, referrals, transportation and safety planning for children who have suffered and/or witnessed domestic violence, sexual assault and child abuse in Douglas County.
<b>Dunn County</b>				
Dunn Co. District Attorney's Office, Menomonie	40,200	47,188	46,270	Early intervention and criminal justice support to victims of crimes, including victims of juvenile offenses, in Dunn County.
<b>Eau Claire County</b>				
Bolton Refuge House, Inc., Eau Claire	63,000	81,030	77,450	Bolton Refuge House Sexual Assault Victim's Services, Legal Advocacy Services and Jackson County Domestic Violence & Sexual Assault Outreach serve adult and child victims/survivors of sexual assault and domestic violence in Eau Claire and Jackson counties. Victims who have experienced domestic violence, sexual assault or sexual abuse and their family members may avail themselves to crisis intervention, emotional support, options guidance, support groups, various types of advocacy, crime victim compensation assistance, information and referral and guidance during court appearances.
Eau Claire Co. District Attorney's Office, Eau Claire	34,700	39,905	39,905	Crisis response services in Eau Claire County including personal contact with crime victims as soon as possible after the crime. Defusing, debriefing, emotional support, information and referral are provided on a one to one or group setting with specific attention to victim safety and recovery. Follow-up support may be provided during legal proceedings or throughout the emotional recovery process and in some cases, could involve long-term support. Victims of all crimes are assisted with priority for victims of life taking, life threatening and personal injury crimes.

Recipient	2000	2001	2002	Purpose of Grant October, 2001 - September, 2002
<b>Fond du Lac County</b>				
ASTOP, Inc., Fond du Lac			\$32,153	Provide trauma treatment services and crisis intervention to individuals with developmental disabilities who have been sexually violated. Services will be accessed from the main office located in Fond du Lac and ASTOP's satellite office in the city of Ripon. These services will be provided in Fond du Lac County.
Friends Aware of Violent Relationships, Fond du Lac		\$39,207	52,487	Intensive professional individual psychotherapy, crisis counseling, emergency legal advocacy, criminal justice support and advocacy, in-person information and referral, follow-up services and personal advocacy to children age five to eighteen who are the victims of abuse and/or witness domestic abuse between their parents or guardians in Fond du Lac County.
<b>Grant County</b>				
Family Advocates, Inc., Platteville	\$71,000	81,650	87,050	Family Advocates will provide intervention services to victims of domestic, sexual, child and elder abuse in Grant, Iowa and Lafayette counties including 24-hour crisis line, individual and group counseling, legal and personal advocacy, transportation and information and referral.
<b>Kenosha County</b>				
Domestic Violence Project, Inc., Kenosha	52,500			
Kenosha Human Development Services, Kenosha	52,500	133,580	293,827	Serves a full range of crime victims, including those surviving child physical and sexual abuse, domestic violence, adult sexual assault, adults molested as children, elder abuse, drunk driving, homicide, assault, robbery, property crime and other felony crimes in Kenosha County. Services include 24-hour crisis hotline, follow up contacts, on-scene counseling with information and referral, personal advocacy and assistance with crime victim compensation claims.  On call services to provide emergency safety and needs assessments to families of abuse and emergency legal representation and assistance to children whom are victims of physical abuse, sexual abuse or who witness domestic violence in Kenosha County.
Pathways of Courage, Inc., Kenosha	22,100	60,375	90,790	Provides services to victims of sexual and domestic violence through two programs; Kenoshans Against Sexual Assault and the Domestic Violence Project. POC will provide crisis counseling, follow-up contact, group treatment, information and referral, criminal justice support and advocacy, crime victim compensation assistance, or personal advocacy to adult and child/teen victims of sexual and domestic violence, adults molested as children and secondary victims of sexual assault crimes in Kenosha County.

Recipient	2000	2001	2002	Purpose of Grant October, 2001 - September, 2002
Pathways of Courage, Inc./KASA, Kenosha		\$25,415		
<b>Kewaunee County</b>				
Violence Intervention Project, Inc., Algoma	\$28,500	28,500	\$28,500	Provides services to victims of domestic violence and sexual assault in Kewaunee County. Services include crisis counseling and support, advocacy, medical and legal accompaniment, information and referral and support groups.
<b>Langlade County</b>				
AVAIL, Inc., Antigo	23,200	40,780	115,260	<p>Comprehensive services to victims of rape, incest and sexual abuse in Langlade and surrounding counties including 24-hr crisis line, legal, personal and medical advocacy, support groups, information and referral and assistance in filing crime victim compensation claims.</p> <p>Free comprehensive services to child victims of physical or sexual abuse and children who have witnessed violence in Langlade County and surrounding areas. Services include individual and group counseling, individualized advocacy for the child and non-offending parent to prepare a service plan, legal, social service and medical advocacy, safety planning, mental health services and other needs.</p> <p>AVAIL, Inc.'s VOCA Vulnerable Elderly Services project will develop and provide free comprehensive services to victims of elder abuse in Langlade County and surrounding areas.</p>
<b>La Crosse County</b>				
Domestic Violence Intervention Project, La Crosse	38,900	56,910	63,610	The La Crosse Crime Victim Project provides immediate, on-call, crisis response including information and referral services to crime victims and their family members in La Crosse County. Types of crimes primarily include domestic violence, sexual assault, elder abuse, violent personal crimes and some property crimes.
Gundersen Lutheran Medical Center, La Crosse	89,300	91,780	91,780	Gundersen Lutheran Crime Victim Services provides post-traumatization services to victims of robbery, violent personal injury crimes, assault, victims connected to an intoxicated driver event, victims of sexual assault, survivors of a homicide event/incident and secondary traumatized victims. Post-traumatization care and related supportive services are available to victims of serious, traumatic crimes in La Crosse, Vernon, Monroe, Jackson and Trempealeau counties.

Recipient	2000	2001	2002	Purpose of Grant October, 2001 - September, 2002
Gundersen Lutheran Medical Center, La Crosse	\$91,700	\$105,455	\$110,155	Sexual Abuse Counseling and Support Program provides services in La Crosse, Monroe, Crawford, and Trempealeau counties to victims of child sexual abuse and adult sexual assaults. Services include utilization of professional volunteers to support victims; educational/support groups for secondary victims, recent sexual assaults and adult survivors; medical and psychological crisis intervention services for sexually abused victims; and assistance with crime victim compensation.
New Horizons, Inc., La Crosse	87,000	100,050	100,050	New Horizon's Shelter and Women's Center will provide crisis intervention, legal advocacy, group support, referral, information, follow up and other advocacy services to adults and children who are victims of domestic violence from LaCrosse, Buffalo, Crawford, Jackson, Monroe, Trempealeau and Vernon counties.
<b>Lincoln County</b>				
HAVEN, Inc., Merrill	44,200	50,830	63,730	HAVEN will provide one on one counseling for sexual assault and domestic abuse victims; support group for sexual assault victims; crime victim compensation information and assistance; legal advocacy; personal advocacy; information and referral and telephone contacts for Lincoln County victims of child physical abuse, child sexual assault, domestic violence, adult sexual assault, elder abuse and adults molested as children.
<b>Manitowoc County</b>				
Family Services Lakeshore, Inc., Manitowoc	28,800			
Holy Family Memorial, Manitowoc		32,490	32,490	Holy Family Memorial's Community and Family Services Divisions' Sexual Assault Resource Center will provide crisis intervention, advocacy, as well as information and referral for adult victims of sexual assault, victims molested as children, and children and adolescents who were sexually abused in Manitowoc County. In addition, the program will provide group therapy treatment for women who are victims of sexual assault and those molested as children and a support group for adolescents who have been sexually abused in Manitowoc County.
<b>Marathon County</b>				
Marathon Co. District Attorney's Office, Wausau	60,000	70,000	70,000	Crime Response Program in Marathon County provides services within 48-72 hours of a crime being reported. Services include crisis response, debriefing, support and information and referral.

Recipient	2000	2001	2002	Purpose of Grant October, 2001 - September, 2002
The Women's Community, Inc., Wausau	\$60,000	\$69,000	\$69,000	The VOCA project will provide services to victims of sexual assault, child sexual abuse, adult survivors of childhood sexual abuse and domestic violence. The majority of services will be provided to individuals residing in Marathon County and north central Wisconsin. The services that will be provided include: individual and group support, follow-up contact, crisis counseling, 24 hour crisis hotline, on-scene response, crime victim compensation assistance, information and referral, criminal justice support, legal advocacy, transitional living assistance and personal advocacy.
<b>Marinette County</b>				
Rainbow House Domestic Abuse Services, Marinette	22,400	44,300	98,686	Through its outreach office in Oconto County, provide direct services to women and men who are victims of domestic abuse. Services include crisis counseling, follow up contact group support, crisis hotline counseling, information and referral, criminal justice support, emergency legal advocacy, crime victim compensation assistance and personal advocacy.  Direct advocacy services to children who are victims of physical and sexual abuse or who have witnessed abuse in their homes in Marinette and Oconto counties.
<b>Menominee County</b>				
Menominee Indian Tribe of Wisconsin, Keshena	20,000	23,000	23,000	The Crime Victim Program provides crisis response and advocacy services to adults and children who are victims of crime on the Menominee Indian Reservation in Wisconsin. Services include transportation to court appearances, assistance with crime victim compensation, criminal justice support and advocacy, assistance in obtaining a restraining order, emotional support and informing victims of their rights regarding the Tribal judicial system and a summary of the Tribal court process.
<b>Milwaukee County</b>				
Asha Family Services, Inc., Milwaukee	76,450			
Boys & Girls Clubs of Greater Milwaukee, Milwaukee	45,000	11,200		
Children's Hospital of WI -- Child Protection Center, Milwaukee	38,700	44,505	44,505	Provides medical, social and psychological assessment and other victim oriented services to children in Milwaukee County who are victims of child abuse or neglect.
Children's Hospital of Wisconsin - Project Ujima, Milwaukee	180,000	179,500	179,500	Comprehensive, coordinated services to aid Milwaukee area youths up to age 18 and their families who are victims of interpersonal violence, primarily physical assaults and firearm violence.

Recipient	2000	2001	2002	Purpose of Grant October, 2001 - September, 2002
In Their Best Interests, Inc., Milwaukee		\$81,880	\$147,002	Provide client-tailored emergency services including crisis counseling, personal advocacy, emergency legal advocacy, emergency support packages, crime victim compensation assistance and follow-up contact and support to Milwaukee County child crime victims in foster and kinship care and their caregivers.
Legal Action of Wisconsin, Milwaukee		87,700	122,396	Emergency legal assistance, emergency shelter, safety planning, crisis intervention, support groups, mental health needs assessment and individual and family therapy for child victims of abuse and violent crime, including those who witness domestic abuse in Racine County
Milwaukee District Attorney's Office, Milwaukee	\$259,620	274,832	291,480	<p>The Crisis Response Unit provides early intervention services to crime victims and families of homicide victims residing and/or occurring in Milwaukee County. Response priority is given to victims of crime involving death (victims' families), great bodily harm, or severe emotional trauma and especially vulnerable victims such as children or the elderly. Services include crisis intervention, emotional support, information and referral to other community resources, follow up and assistance with crime victim compensation.</p> <p>The Sensitive Crimes Victim Services Unit provides specialized services for adult and child sexual assault victims and child physical abuse victims. Clients are victims of sexual assault and child sexual or physical abuse that occur in Milwaukee County. Services include crisis counseling, support services, advocacy and information and referral.</p>
Milwaukee Women's Center, Inc., Milwaukee	11,300	13,000	13,000	The Milwaukee Women's Center Older Abuse Women's Program provides case management services, advocacy and other supportive services to women over age 50 who are victims of domestic abuse in Milwaukee County.
Senior LAW/Legal Action of Wisconsin, Inc., Milwaukee			47,225	The Elder Rights Project of Senior LAW/Legal Action of Wisconsin, will provide free civil legal services, including civil legal information, civil legal counseling and advice, civil legal representation and public benefits assistance to victims of elder abuse who live in Milwaukee County in residential or longer term care institutional settings.
Aurora Sinai Medical Center, Milwaukee	170,000	189,500	189,500	The Sexual Assault Treatment Center provides collaborative victim-sensitive, client centered, readily accessible crisis intervention, information and referral, counseling, and hospital based advocacy services to victims of sexual assault and others affected by sexual violence in the greater Milwaukee area.

Recipient	2000	2001	2002	Purpose of Grant October, 2001 - September, 2002
Social Development Commission, Milwaukee	\$115,300	\$123,800	\$123,800	SDC's Victim Assistance Program provides services, including crisis counseling, group support, information and referral, criminal justice support, emergency financial assistance and crime victim compensation assistance to Milwaukee County victims of crime, including domestic violence, sexual assault and survivors of homicide victims.
Sojourner Truth House, Milwaukee	67,300	48,300	49,300	Criminal justice support and information and referral services to victims of domestic violence in Milwaukee County through staff located in the Milwaukee County District Attorney's office.
Task Force on Family Violence, Inc., Milwaukee	200,000	380,000	763,136	<p>The Task Force on Family Violence through its Legal Emergency Assistance Project (LEAP) provides in-depth safety planning, assistance with identifying and accessing community resources, restraining order assistance and employment advocacy to victims of family violence in Milwaukee and surrounding counties. The project also provides legal advice and representation to victims of family violence in Milwaukee and Waukesha counties.</p> <p>Children's Advocacy Project will provide information, referrals, safety planning support and restraining order assistance to children who have suffered from physical abuse, sexual abuse or who have witnessed domestic violence. The project will also provide emergency legal advice and representation on related emergency cases in Milwaukee and Waukesha counties.</p>
UMOS, Milwaukee			37,500	UMOS Latina Resource Center (LRC) provides comprehensive bilingual bicultural domestic violence services to Hispanic women and their families who reside in Milwaukee County. The women have access to the following services: crisis counseling, women's support groups, violence prevention, and intervention. Case management provides clients with advocacy, follow-up, community information and referrals.
<b>Monroe County</b>				
Monroe County Shelter Care, Inc., Sparta	13,300	15,300	17,100	Direct services to victims of domestic abuse and sexual assault in Monroe County. Services include 24-hour crisis/information line, crisis intervention, individual and group counseling, legal and personal advocacy and information and referral to community resources.

Recipient	2000	2001	2002	Purpose of Grant October, 2001 - September, 2002
<b>Oneida County</b>				
Tri-County Council on Domestic Violence & Sexual Assault, Inc., Rhinelander	\$54,500	\$62,540	\$62,960	Provide direct advocacy services including crisis counseling, follow-up contact, support group, crisis hotline counseling, information and referral, criminal justice support, emergency legal advocacy, crime victim compensation assistance, personal advocacy, telephone contact and transportation to victims of domestic violence and sexual assault in the counties of Forest, Oneida and Vilas. Primary clients include victims of child sexual assault, child physical abuse, domestic violence, adult sexual assault, adults molested as children, elder abuse. Services are also available for DUI/DWI, survivors of homicide victims, assault, robbery and other violent and property crimes.
<b>Outagamie County</b>				
Mothers Against, Drunk Driving, Appleton	24,530	24,600	24,600	Provides advocacy in the criminal justice system, assistance with financial matters and emotional support to anyone who has been victimized by an intoxicated motorist throughout Wisconsin.
Victim Crime Response -- Appleton	35,000	35,000	36,000	The Victim Crime Response program crisis volunteers to provide defusing of incident stress, support to crime victims and their families at the crime scene, referrals to local service agencies and follow up call after the incident. Services are provided in Appleton, Neenah, Menasha and the Town of Menasha.
<b>Portage County</b>				
CAP Services, Stevens Point	56,200	64,630	136,281	Family Crisis Center (FCC) and its outreach offices will provide individual crisis counseling by phone or in person, follow-up contacts, information and referral to face-to-face contacts, criminal justice system support, emergency legal and personal advocacy and assistance with Crime Victim Compensation applications for victims of domestic violence in Portage, Waupaca and Waushara Counties.  Sexual Assault Victim Services (SAVS) will provide individual crisis counseling by phone and in person, group counseling, follow-up contact, criminal justice system support, emergency legal advocacy and assistance with Crime Victim Compensation applications for victims of sexual assault in Portage County and the communities of Waupaca and Wisconsin Rapids (in Waupaca and Wood County).
<b>Polk County</b>				
Community Referral Agency, Inc., Milltown	10,300	11,845	11,845	Community Referral Agency provides personal advocacy, counseling and support, follow-up and referral to victims of domestic violence and sexual assault in Burnett County.

Recipient	2000	2001	2002	Purpose of Grant October, 2001 - September, 2002
<b>Racine County</b>				
Racine County District Attorney's Office, Racine	\$65,000	\$68,500	\$65,000	The Victim Advocate Unit of the Racine County District Attorney's Office offers personal advocacy, information/referrals, criminal justice support and follow-up contact to felony crime victims in Racine County within 72 hours of the victimization. The project provides services to victims of elder abuse, adult sexual assault, survivors of homicide victims, aggravated assault, robbery, other violent crimes and felony property crimes.
<b>Richland County</b>				
Passages, Inc., Richland Center	53,200	61,180	61,180	Passages VOCA project serves victims of sexual assault (including child, adult and adult survivors of childhood sexual assault), domestic violence and child witnesses to domestic violence from Richland, Crawford and Vernon counties. Services include support, options counseling, follow-up, group support, crisis telephone counseling, information and referral, legal systems advocacy, emergency legal and hospital advocacy, crime victim compensation advocacy and personal advocacy and support.
<b>Rock County</b>				
YWCA of Rock County, Janesville	41,500	46,866	46,866	The Alternatives to Violence program serves victims of domestic violence and sexual assault in Rock County, including legal advocacy and child/youth case management. The Legal Advocate provides support and assistance with restraining orders, advocacy in the court system, safety planning, follow up services and information and referral regarding local legal resources. The Child/Youth Advocate provides services to youthful victims of sexual, physical, verbal, and emotional abuse.
<b>Rusk County</b>				
Rusk Co. Sheriff's Department, Ladysmith	20,400	15,575	17,310	Early intervention and crisis response services to crime victims and witnesses and their families in Rusk County.
Timeout Family Abuse Shelter, Inc., Ladysmith	128,788	35,760	35,760	The Barron County advocate shall provide assistance to victims of sexual assault, domestic violence, child sexual abuse, elder abuse and adults molested as children in Barron County. Services shall include assistance in obtaining restraining orders, support and advocacy throughout the criminal justice system, crisis counseling, support groups, and assistance with crime victim compensation.
<b>Sawyer County</b>				
Lac Courte Oreilles Tribal Government, Hayward		83,416	110,000	Provides advocacy, support, emergency legal support, 24 hour crisis line services and support groups for victims of sexual assault, child sexual abuse, adult victims of domestic violence, adults molested as children, child physical abuse and elder abuse on the Lac Courte Oreilles Reservation.

Recipient	2000	2001	2002	Purpose of Grant October, 2001 - September, 2002
Sawyer Co. Department of Health and Human Services, Hayward	\$38,447	\$39,300	\$39,300	Victim advocacy services for adult victims of sexual assault in Sawyer County. Services will assist victims in meeting safety, physical and emotional needs and informing victims of their rights and remedies.
<b>Shawano County</b>				
Domestic Abuse Support Center of Shawano County, Shawano	13,500	13,500	29,300	Provides services to victims of domestic and sexual violence in Shawano County and rural areas of Waupaca, Outagamie, Oconto and Menominee counties. Services include assistance in obtaining and completing restraining orders, accompaniment to hearings, development of safety plans, crime victim compensation assistance, crisis counseling, support group and information and referrals.
<b>Sheboygan County</b>				
Safe Harbor Domestic Abuse Program, Sheboygan	13,200	15,180	15,180	Crisis intervention and support services for adult sexual assault victims in Sheboygan County, including crisis line, crisis counseling, support groups, hospital advocacy, court accompaniment, transportation, child care, assistance in accessing community resources and assistance in applying for crime victim compensation.
<b>St. Croix County</b>				
St. Croix Victim/Witness Assistance, Hudson	14,500	16,944	18,175	The St. Croix Victim/Witness Assistance Program Legal Advocate program provides assistance, advocacy, support and referral to persons seeking domestic abuse, child abuse and harassment restraining orders in St. Croix County.
Turningpoint for Victims of Domestic and Sexual Violence, Inc., River Falls	16,800	18,505	47,400	Provides crisis counseling, follow-up contact, crisis hotline counseling, information and referral (in-person), criminal justice support/advocacy, emergency legal advocacy, crime victim compensation assistance, personal advocacy, and telephone contacts to victims of domestic and sexual violence and child abuse in Pierce County.
<b>Taylor County</b>				
Medford Police Department, Medford	10,960	15,960	11,000	Criminal justice support services, including case status information, property return and information and referral, for all victims of crime in the City of Medford and Taylor County.
<b>Walworth County</b>				
Association for the Prevention of Family Violence, Elkhorn	32,800	37,720	37,720	Early intervention services to crime victims of domestic abuse in Walworth County including crisis counseling, follow up, group treatment, information, referral, criminal justice support, advocacy, emergency legal advocacy and crime victim compensation assistance.
<b>Washington County</b>				
Friends of Abused Families, West Bend	21,000	24,150	34,375	Friends' VOCA project provides direct services to victims of domestic abuse in Washington County, including emergency legal advocacy, criminal justice support, counseling, crisis line, information and referral, follow up and crime victim compensation assistance.

Recipient	2000	2001	2002	Purpose of Grant October, 2001 - September, 2002
<b>Waukesha County</b>				
The Women's Center, Inc., Waukesha	\$72,700	\$89,245	\$83,605	The Women's Center provides services to Waukesha County sexual assault/abuse and domestic violence victims, including crisis intervention, counseling and support groups for sexual assault victims, 24 hour crisis line and full time legal advocacy providing assistance to domestic violence victims in obtaining temporary restraining orders at the Waukesha County Courthouse.
Waukesha Victim/Witness Assistance Program, Waukesha	88,100	88,100	88,100	Mobile Victim Assistance (MVA) -- 24-hour crisis intervention unit providing crisis counseling, information and referral, criminal justice support and advocacy, personal advocacy and assistance with crime victim compensation. Clients include victims of child physical and sexual abuse, DUI, domestic violence, property crimes, adult sexual assault, elder abuse, survivors of homicide victims, robbery, assault and other violent crimes in Waukesha County.  Family and Friends of Homicide Victims Program (FHV) - Crisis counseling, group treatment/support, information and referral, criminal justice support and advocacy, personal advocacy and assistance with crime victims compensation.
<b>Winnebago County</b>				
Christine Ann Domestic Abuse Services, Inc., Neenah		58,775	69,692	Legal advocacy services will be provided to victims of domestic violence in Winnebago County, Green Lake County, and parts of Waushara County.
Reach Counseling Services, Menasha	16,600	54,970	66,970	Reach Counseling Services provides services to victims of sexual assault, abuse and incest who are Native American and offers an adult survivor therapy group to women with a history of sexual abuse. The targeted groups are: 1) victims of sexual abuse who are Native American and live in Outagamie, Winnebago or Calumet counties and 2) adult women who are survivors of sexual abuse or assault and reside in Outagamie, Winnebago or Calumet counties.  Outpatient mental health therapy to child and adolescent victims of sexual and physical abuse and to children who have witnessed domestic violence in Winnebago, Outagamie, Calumet and Waushara counties.
Regional Domestic Abuse Services, Inc., Neenah	28,200			
Sexual Assault Crisis Center - Fox Cities, Inc., Menasha	5,000	5,750	5,750	The Sexual Assault Crisis Center provides support groups to adult women survivors of rape/sexual assault for residents of Outagamie, Waupaca, Calumet and Winnebago counties.

Recipient	2000	2001	2002	Purpose of Grant October, 2001 - September, 2002
<b>Wood County</b>				
Family Center, Inc., Wisconsin Rapids	\$28,300	\$58,045	\$70,045	Direct services, including individual counseling, support groups, criminal justice support, to seniors who are victims of domestic violence in Wood County.

## APPENDIX IX

### Children's Justice Act Subgrants Awarded July, 1999 thru November, 2002

Award Date	Amount	Recipient	Grant Purpose
7/6/99	\$1,500	Wisconsin Professional Society on The Abuse of Children (WIPSAC) State-wide Organization	Development of the Lunch and Learn training series for Milwaukee County professionals.
8/9/99	11,500	Safe Harbor Child Advocacy Center, Madison	Protocol development assistance and training.
3/8/00	7,489	Medical College of Wisconsin, Milwaukee	Equipment to perform computer based image processing.
3/17/00	82,000	Milwaukee County District Attorneys Office	Prosecutor position for 18 months to screen child physical abuse complaints.
6/28/00	1,000	Waushara County Department of Human Services	Forensic Interview training grant.
8/29/00	4,900	WIPSAC	Lunch and Learn Training series.
9/11/00	1,200	City of West Allis Police Department	Forensic Interview Training grant.
12/15/00	600	River Hills Police Department	Forensic Interview Training grant
3/01	1,000	UW Parkside Benevolent Fund, Kenosha	Forensic Interview Training grants.
5/5/01	900	Pierce County Department of Human Services	Forensic Interview Training grants.
6/29/01	800	Winnebago County District Attorney's Office	Forensic Interview Training grants.
7/16/01	4,000	WIPSAC	Lunch and Learn Training grant
8/31/01	3,054	Langlade County Department of Social Services	Forensic Interview Training grants.
9/26/01	2,900	Menominee Nation Police Department	Forensic Interview Training grants.
11/28/01	2,000	YMCA of Rock County	Child Advocacy Center Strategic Planning grant
1/23/02	5,000	All Saints Healthcare Foundation, Racine County	Colposcope matching grant.
4/02	5,000	Dane County Sheriff's Department	Amber Alert
5/29/02	6,777	Waushara County Human Services	Videotape Equipment
6/17/02	6,300	Wisconsin Professional Society on the Abuse of Children (WIPSAC)	Lunch and Learn Training
7/25/02	1,242	Wisconsin Coalition Against Domestic Violence	Duplicate and Mail Book

<b>Award Date</b>	<b>Amount</b>	<b>Recipient</b>	<b>Grant Purpose</b>
7/25/02	\$2,780	YMCA of Rock County	Forensic Interview Training
8/06/02	13,295	Douglas County Human Services	Videotape Equipment
9/4/02	8,635	DePere Police Department	Videotape Equipment
9/25/02	30,000	Children's Hospital of Wisconsin	WI Physicians Eradicating Child Abuse and Neglect
10/29/02	12,825	Columbia County Sheriff's Office	Videotape Equipment
11/1/02	2,525	Manitowoc County Human Services	Forensic Interview Training